



VENTURA COUNTY TRANSPORTATION COMMISSION

AIRPORT LAND USE COMMISSION
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
CONSOLIDATED TRANSPORTATION SERVICE AGENCY
CONGESTION MANAGEMENT AGENCY

www.goventura.org

AGENDA*

**Actions may be taken on any item listed on the agenda*

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, APRIL 3, 2015
9:00 AM

In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in a Commission meeting, please contact the Clerk of the Board at (805) 642-1591 ext 101. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **PUBLIC COMMENTS** – *Each individual speaker is limited to speak three (3) continuous minutes or less. The Commission may, either at the direction of the Chair or by majority vote of the Commission, waive this three minute time limitation. Depending on the number of items on the Agenda and the number of speakers, the Chair may, at his/her discretion, reduce the time of each speaker to two (2) continuous minutes. In addition, the maximum time for public comment for any individual item or topic is thirty (30) minutes. Also, the Commission may terminate public comments if such comments become repetitious. Speakers may not yield their time to others without the consent of the Chair. Any written documents to be distributed or presented to the Commission shall be submitted to the Clerk of the Board. This policy applies to Public Comments and comments on Agenda Items.*

Under the Brown Act, the Board should not take action on or discuss matters raised during Public Comment portion of the agenda which are not listed on the agenda. Board members may refer such matters to staff for factual information or to be placed on the subsequent agenda for consideration.

5. **CALTRANS REPORT** - *This item provides the opportunity for the Caltrans representative to give update and status reports on current projects.*
6. **COMMISSIONERS / EXECUTIVE DIRECTOR REPORT** - *This item provides the opportunity for the commissioners and the Executive Director to report on attended meetings/conferences and any other items related to Commission activities.*
7. **ADDITIONS/REVISIONS** – *The Commission may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Commission subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Commission. If there are less than 2/3 of the Commission members present, adding an item to the agenda requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.*
8. **CONSENT CALENDAR** - *All matters listed under the Consent Calendar are considered to be routine and will be enacted by one vote. There will be no discussion of these items unless members of the Commission request specific items to be removed from the Consent Calendar for separate action.*

8A. [APPROVE SUMMARY FROM MARCH 6, 2015 VCTC MEETING](#) – PG.5

Recommended Action:

Approve

Responsible Staff: Donna Cole

8B. [FEBRUARY 2015 MONTHLY BUDGET REPORT](#) – PG. 13

Recommended Action:

Receive and File

Responsible Staff: Sally DeGeorge

8C. [PASSENGER RAIL UPDATE](#) – PG. 19

Recommended Action:

Receive and File

Responsible Staff: Ellen Talbo

8D. [SIMI VALLEY TRANSIT CAPITAL APPROVAL OF PROJECTS](#) - PG. 23

Recommended Action:

- Approve programming \$1,550,000 of Proposition 1B Transit Capital for the Simi Valley Replacement CNG Buses purchase and \$1,250,000 of Proposition 1B Transit Capital for the Simi Valley Replacement Paratransit Vans purchase.
- Adopt Resolution 2015-05 in Attachment B authorizing the Executive Director to execute all required documents to receive the Transit Capital funds for approved projects

Responsible Staff: Peter De Haan

8E. [COMMUTER SERVICES QUARTERLY REPORT](#) - PG. 33

Recommended Action:

Receive and File

Responsible Staff: Alan Holmes

8F. VENTURA COUNTY REGIONAL BICYCLE WAYFINDING PROJECT – PG.41

Recommended Action:

Authorize release of a Request for Proposal (RFP), for the Ventura County Regional Bicycle Wayfinding Project contained in the approved Fiscal Year 2014/2015 Budget

Responsible Staff: Steve DeGeorge

8G VALLEY EXPRESS POST-LAUNCH POLICY CONSIDERATIONS– PG.57

Recommended Action:

Approve modification of Valley Express Policies, contingent on the concurrent recommendation by the Heritage Valley Policy Advisory Committee (Attachment A).

Responsible Staff: Aaron Bonfilio

8H VCTC RESOLUTION IN SUPPORT OF A WILDLIFE CORRIDOR ACROSS U.S. 101 AT LIBERTY CANYON – PG.61

Recommended Action:

Adopt resolution 2015-06 supporting a wildlife corridor across U.S. 101 at Liberty Canyon

Responsible Staff: Steve DeGeorge

9. SANTA PAULA BRANCH LINE RECREATION TRAIL SURVEY – PG. 63

Recommended Action:

Receive and File

Responsible Staff: Steve DeGeorge

10. ADD CLASSIFICATIONS OF SENIOR ACCOUNTANT/ANALYST; and PROGRAM MANAGER CAPITAL PROJECTS; AND SET COMPENSATION LEVELS FOR EACH CLASSIFICATION- PG.67

Recommended Action:

Add classifications of Senior Accountant/Analyst and Program Manager - Capital Projects and set compensation levels for those newly created classifications.

Responsible Staff: Darren Kettle

11. FISCAL YEAR 15/16 DRAFT BUDGET – PUBLIC HEARING - PG. 77

Recommended Action:

- *Receive the Fiscal Year 2015/2016 Draft Budget*
- *Conduct Public Hearing to receive testimony on the Draft Fiscal Year 2015/2016 Budget.*

Responsible Staff: Sally DeGeorge

12. GO VENTURA SMARTCARD TAKEDOWN & POSSIBLE FARE INCREASE TITLE VI ANALYSIS – PG.81

Recommended Action:

- *Receive public comments regarding the termination of the Go Ventura Smartcard as well as possible future fare increases for VCTC Intercity (VISTA) services*
- *Approve the proposed Title VI Analysis*

Responsible Staff: Amy Ahdi

13. LEGISLATIVE UPDATE AND POSITIONS ON BILLS – PG. 87

Recommended Action:

- *Adopt SUPPORT – WORK WITH AUTHOR position on HR 1308 (Lowenthal) to fund a national goods movement program.*
- *Adopt SUPPORT position on AB 227 (Alejo) to address transportation funding.*
- *Adopt SUPPORT position on AB 1250 (Bloom) to extend the bus axle weight exemption.*

13. LEGISLATIVE UPDATE AND POSITIONS ON BILLS (Cont.)

- Adopt *SUPPORT* position on SB 321 (Beall) to modify the gasoline tax adjustments related to the transportation funding swap.
- Adopt *SUPPORT* position on SB 508 (Beall) to revise state transit funding requirements.
- Adopt position to *SUPPORT* the request of Assembly Member Jacqui Irwin to the Assembly Budget Committee to fund the establishment of an engineering program at California State University, Channel Islands (CSUCI).

Responsible Staff: Peter De Haan

14. ALLOCATION OF FISCAL YEAR 2014/15 CAP-AND-TRADE FUNDS –PG. 111

Recommended Action:

- Program VCTC's FY 2014/15 cap-and-trade transit operations apportionment of \$295,041, as well as the FY 2015/16 apportionment anticipated to be approximately \$600,000, to the new Oxnard / Camarillo VCTC Intercity Bus Service.
- Adopt the Resolution 2015-04 in Attachment A authorizing the Executive Director to execute all required documents to receive the cap-and-trade transit operations funds for the approved project.

Responsible Staff: Peter De Haan

15. ADA CERTIFICATION CONTRACT –PG. 115

Recommended Action:

Approve the contract (Attachment B) with Mobility Management Partners, for Americans with Disabilities Act (ADA) certification services, for a three-year period from July 1, 2015 to June 30, 2018, with two optional one-year extensions, at a price not to exceed \$206,681 for Fiscal Year (FY) 2015/16, \$210,193 for FY 2016/17, and \$218,214 for FY 2017/18.

Responsible Staff: Peter De Haan

16. VCTC GENERAL COUNSEL'S REPORT

17. AGENCY REPORTS

18. CLOSED SESSION

1. Conference with Labor Negotiators

(Pursuant to Government Code § 54957.6)

Agency designated representative: Darren Kettle, Executive Director

Unrepresented employee: All unrepresented employees

2. Conference with Legal Counsel: Existing Litigation

(Pursuant to Government Code Section 54956.9)

Bessera v. Griffin Industries, VCTC and Fillmore and Western

19. ADJOURN to 9:00 a.m. Friday, May 1, 2015



Item #8A

Meeting Summary

VENTURA COUNTY TRANSPORTATION COMMISSION

AIRPORT LAND USE COMMISSION
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
CONSOLIDATED TRANSPORTATION SERVICE AGENCY
CONGESTION MANAGEMENT AGENCY

CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, MARCH 6, 2015
9:00 AM

MEMBERS PRESENT:

Peter Foy, County of Ventura, Chair
Keith Millhouse, City of Moorpark, Vice Chair
Steve Bennett, County of Ventura
Claudia Bill-de la Peña, City of Thousand Oaks
Douglas Breeze, City of Port Hueneme
Manuel Minjares, City of Fillmore
Betsy Clapp, City of Ojai
Ginger Gherardi, City of Santa Paula
Brian Humphrey, Citizen Rep., Cities
Bill Little, City of Camarillo
Kathy Long, County of Ventura
Bryan MacDonald, City of Oxnard
Carl Morehouse, City of San Buenaventura
Linda Parks, County of Ventura
Steve Sojka, City of Simi Valley
Jim White, Citizen Rep., County
Mark Archuleta, Caltrans District 7

ABSENT: None

CALL TO ORDER

PLEDGE OF ALLGIANCE

PUBLIC COMMENTS FOR THOSE ITEMS NOT LISTED ON THIS AGENDA

Mike Barber, Nyeland Acres Resident and President of Santa to the Sea Race

Thanked Caltrans for making the application process very manageable for a mural on a cement barrier wall in Nyeland Acres. The 300 ft long 4 ft high mural is meant to highlight the Santa to Sea Race and depicts running torsos and legs. Donations were collected to create the colorful fun project that over 100 students helped color. He challenged all cities to involve the public in funding and creating murals on ugly cement walls and help make Ventura County the mural capital of the world.

Steve Brown GCT General Manager

Thursday April 9 is National Infrastructure Day put on by APTA. A stand up for transit media event will be held at the Oxnard Transit Center to call attention to the need for a long term funding bill.

EXECUTIVE DIRECTOR REPORT

Darren Kettle announced that today is Stephanie Young's final VCTC meeting as she has taken a position with SCAG.

COMMISSIONER REPORTS

Commissioner Zaragoza commented on the recent Metrolink accident and the sad passing of the engineer. As the lead agency, the City of Oxnard is facing a \$30-35 million shortfall in funding the Rice Road overpass which would prevent trains from crossing the intersection where so many accidents occur. The Board of Supervisors recently sent a letter to Julia Brownley, who has agreed to try to help with the effort. He also thanked Darren Kettle, Keith Millhouse and Brian Humphrey for their quick response to be on the scene.

Commissioner Morehouse reported the National Association for Regional Councils met in Washington DC with committees to discuss needs in following up with the next funding cycle of Map 21.

Commissioner MacDonald said he was very impressed with how well our first responders worked together at the Metrolink incident. The investigation was initiated and the site was recovered within 24 hours. The phenomenal job they did speaks very well for Ventura County.

He also mentioned RDP 21 will make a trip to Washington DC in two weeks to meet with the senate subcommittee on finance. They hope to open the door to contacts to reaffirm the needs to preserve Naval Base Ventura County.

Commissioner Millhouse said he, Darren Kettle and Brian Humphrey were at the Metrolink crash scene all day. The response was fantastic and we should all be very proud of the cooperative efforts of all who came together to get the system running again.

Commissioner Gherardi attended the opening event for the new Valley Express Bus Service. It was a great event with a large crowd, many of whom took advantage of the first day free rides.

Commissioner Minjares also attended the Valley Express event and is looking forward to hearing feedback from the community.

CALTRANS REPORT

Mark Archuleta gave a presentation on Contractor Quality Control and Caltrans Quality Assurance on the 101/23 Interchange Improvement Project. Measures have been implemented to help reduce the number of accidents in the project area. At the end of the presentation CHP was asked to provide information on the frequency of accidents since those measure have been implemented. CHP will provide a follow up report.

CONSENT CALENDAR

Commissioner Sojka made a motion to approve all items as recommended. The motion was seconded by Commissioner Long and passed by a unanimous roll call vote.

8A. APPROVE SUMMARY FROM MARCH 6, 2015 VCTC MEETING - Approve

8B. JANUARY 2015 MONTHLY BUDGET REPORT - Receive and File

8C. PASSENGER RAIL UPDATE - Receive and File

8D. SAFE REQUEST FOR PROPOSALS - Authorize release of two (2) Request for Proposals (RFPs), one for call box maintenance and one for call box system monitoring to be funded through the Service Authority for Freeway Emergencies.

8E. MARKETING AND COMMUNITY OUTREACH PROGRAM REQUEST FOR PROPOSALS

Authorize release of Request for Proposals (RFP) for VCTC's Marketing and Community Outreach Program

8F. CONTRACT FOR PROFESSIONAL AUDITING SERVICES - Approve the contract with The Pun Group, LLP for professional auditing services including one single audit at a not-to exceed cost of \$39,500 for Fiscal Year 2014/2015, \$40,405 for Fiscal Year 2015/2016, \$41,310 for Fiscal Year 2016/2017 with two (2) – one (1) year optional periods for Fiscal Year 2017/2018 at \$42,215 and Fiscal Year 2018/2019 at \$43,120. Cost for additional single audits if more than one is needed would be at \$2,500 per single audit.

8G. ADA CERTIFICATION SERVICES CONTRACT AMENDMENT-

- Approve the amendment to the contract with Mobility Management Partners, Inc., for countywide ADA certification services, increasing the Fiscal Year (FY) 2014/15 ceiling from \$133,452 to \$148,650 to pay for a higher than anticipated volume of applicants.
- Amend the Fiscal Year 2014/15 budget as follows: (1) increase Senior/Disabled Consultant expenditures by \$11,650, from \$137,000 to \$148,650; (2) reduce Transit Grant Management Consultant expenditures by \$11,650; (3) increase Senior/Disabled FTA 5307 revenues by \$9,320 and LTF revenues by \$2,330; (4) reduce Transit Grant Management FTA 5307 revenues by \$9,320 and LTF revenues by \$2,330. There is no overall impact to the VCTC budget.

8H. GOLD COAST TRANSIT FY 2014/15 PROPOSITION 1B SECURITY PROJECT

Authorize Resolution Number 2015-02 approving \$295,132 in FY 2014/15 Proposition 1B Transit Security funds for the Gold Coast Transit Facility Security project.

8I. ACTIVE TRANSPORTATION PROGRAM PRELIMINARY PROJECT REVIEW

Amend Congestion Mitigation and Air Quality (CMAQ) to include projects to use CMAQ as match to leverage Active Transportation Program (ATP) funds, with applications due to VCTC March 12, 2015.

8J. GFI CONTRACT FOR PURCHASE OF FARECARD TERMINALS AND SUPPORTING FACILITY

Approve a resolution authorizing the Executive Director to prepare and enter into a contract GFI for the purchase of Cardquest farecard terminals and supporting facility for the Valley Express in an amount not to exceed \$200,000.

9 STATE LEGISLATIVE UPDATE AND POSITIONS ON BILLS

Commissioner Gherardi made a motion to adopt SUPPORT position on AB 4 (Linder) to require that truck weight fees remain in the State Highway Account. The motion as seconded by Commissioner Morehouse and passed by a unanimous roll call vote. (*Commissioner Bennett was absent from the room at the time of the vote.*)

10. COST INCREASE FOR ROUTE 101/WENDY DRIVE INTERCHANGE PROJECT

Commissioner Sojka made a motion to approve \$1.5 million in Surface Transportation Program (STP) funds for a cost increase to the Wendy Drive / Route 101 Interchange improvement project, increasing the programmed amount to \$10.2 million. The motion was seconded by Commissioner Millhouse and passed by a unanimous roll call vote.

11. CMAQ MATCHING FUNDS FOR METROLINK TICKET VENDING MACHINE PROJECT

Commissioner Gherardi made a motion to Approve funding amount of CMAQ funds to be used as a local match toward purchase of Metrolink ticket vending machines (TVMs). The motion was seconded by Commissioner Millhouse and passed by a unanimous roll call vote.

12. CONSIDERATION OF 2015 LEGISLATIVE PROGRAM ITEM RELATED TO SUPPORT FOR PLACING A POTENTIAL CONSTITUTIONAL AMENDMENT TO LOWER THE VOTER APPROVAL THRESHOLD TO ADOPT LOCAL TRANSPORTATION FINANCE MEASURES TO A 55 PERCENT SUPERMAJORITY VOTE

Commissioner Gherardi made a motion to support including an item in the 2015 Legislative Program regarding support for placing on the ballot a constitutional amendment to lower the voter approval threshold to pass local transportation finance measures to 55% supermajority vote. The motion was seconded by Commissioner Morehouse and passed by the following roll call vote:

Yes: Commissioners Millhouse, Little, Gherardi, Zaragoza, Morehouse, Sojka, Long, White, Minjares, Bennett

No: Commissioner Parks, Bill- de la Peña, MacDonald, Clapp, Breeze, Humphrey, Foy

Abstain: None

Absent: None

13. ON-BOARD VIDEO SURVEILLANCE SYSTEM REQUEST FOR PROPOSALS (RFP)

Commissioner Sojka made a motion to authorize release of RFP for On-Board Transit Bus Video Surveillance System for all VCTC Intercity Buses and all Valley Express Buses. The motion as seconded by Commissioner Millhouse and passed by a unanimous roll call vote.

14. POLICIES AND PROCEDURES FOR SMART CARD TAKE DOWN

Commissioner Parks made a motion to approve Go Ventura Smartcard takedown Policies and Procedures. The motion was seconded by Commissioner Gherardi and passed by a unanimous roll call vote.

15. VCTC GENERAL COUNSEL'S REPORT – No Report

16. AGENCY REPORTS –

Commissioner Millhouse reported SCAG is now accepting applications for a \$4,000 scholarship from eligible high school and community college students interested in pursuing a career in public planning, policy and government. The scholarship also includes an internship.

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Commissioner Parks reported that at the SCAG General Assembly a resolution in support of the 101 Wildlife Corridor at Liberty Canyon and 101 will be considered. The Board of Supervisors and VCOG are in support of this corridor and Commissioner Parks suggested that VCTC support the corridor as well. While the project is not in Ventura County it would provide a regional benefit.

17. CLOSED SESSION - None

18. ADJOURN to VCTC Special Meeting

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Meeting Summary

VENTURA COUNTY TRANSPORTATION COMMISSION

AIRPORT LAND USE COMMISSION
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
CONSOLIDATED TRANSPORTATION SERVICE AGENCY
CONGESTION MANAGEMENT AGENCY

www.goventura.org

SPECIAL MEETING

Camarillo City Hall
601 Carmen Drive
Camarillo, CA
FRIDAY, MARCH 6, 2015

CALL TO ORDER

ROLL CALL

MEMBERS PRESENT:

Peter Foy, County of Ventura, Chair
Keith Millhouse, City of Moorpark, Vice Chair
Steve Bennett, County of Ventura
Claudia Bill-de la Peña, City of Thousand Oaks
Douglas Breeze, City of Port Hueneme
Manuel Minjares, City of Fillmore
Betsy Clapp, City of Ojai
Ginger Gherardi, City of Santa Paula
Brian Humphrey, Citizen Rep., Cities
Bill Little, City of Camarillo
Kathy Long, County of Ventura
Bryan MacDonald, City of Oxnard
Carl Morehouse, City of San Buenaventura
Linda Parks, County of Ventura
Steve Sojka, City of Simi Valley
Jim White, Citizen Rep., County
Mark Archuleta, Caltrans District 7

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ABSENT: None

PUBLIC COMMENTS - None

CLOSED SESSION – There was no report from the Closed Session

1. Conference Involving A Joint Powers Agency (Southern California Regional Rail Authority) (Pursuant to Gov. Code Sec. 54956.96)

1a. Discussion with Legal Counsel – Anticipated Litigation

1b. Discussion to include Local Agency Representatives Keith Millhouse and Brian Humphrey

ADJORNMENT - *Meeting was adjourned in Memory of the Metrolink Engineer who was killed in the recent crash.*



Item # 8B

April 3, 2015

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: MONTHLY BUDGET REPORT

RECOMMENDATION:

- Receive and file the monthly budget report for February 2015

BACKGROUND:

The monthly budget report is presented in a comprehensive agency-wide format with the investment report presented at the end. The Annual Budget numbers are updated as the Commission approves budget amendments or administrative budget amendments are approved by the Executive Director. Staff monitors the revenues and expenditures of the Commission on an on-going basis.

The February 28, 2015 budget reports indicate that revenues were approximately 55.64% of the adopted budget while expenditures were approximately 56.4% of the adopted budget. The revenues and expenditures are as expected. Although the percentage of the budget year completed is shown, be advised that neither the revenues nor the expenditures occur on a percentage or monthly basis. Furthermore, revenues are often billed and reimbursed in arrears.

Some revenues are received at the beginning of the year while other revenues are received after grants are approved. In many instances, VCTC incurs expenses and then submits for reimbursement from federal, state and local agencies which may also cause a slight lag in reporting revenues. Furthermore, the State Transit Assistance (STA), Local Transportation Fund (LTF) and Service Authority for Freeway Emergencies (SAFE) revenues are received in arrears. The State Board of Equalization collects the taxes and remits them to the Commission after the reporting period for the business. STA revenues are paid quarterly with a two to three month additional lag and LTF receipts are paid monthly with a two month lag. For example, the July through September STA receipts are often not received until October or November and the July LTF receipts are not received until September. The Department of Motor Vehicles collects the SAFE funds and remits them monthly with a two month lag.

The Commission's capital assets are presented on the Balance Sheet. Capital assets that are "undepreciated" consist of land and rail lines owned by the Commission. Capital assets that are depreciated consist of buildings, rail stations, transit equipment, highway call box equipment and office furniture. Capital assets and depreciation are booked annually at yearend.

**VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF FEBRUARY 28, 2015**

ASSETS

Assets:

Cash and Investments - Wells Fargo Bank	\$ 5,343,038
Cash and Investments - County Treasury	23,066,831
Petty Cash	50
Receivables/Due from other funds	969,363
Prepaid Expenditures	359,401
Deposits	15,085
Capital Assets, undepreciated	25,885,133
Capital Assets, depreciated, net	24,533,736

Total Assets: **\$80,172,637**

LIABILITIES AND FUND BALANCE

Liabilities:

Accrued Expenses/Due to other funds	\$ 1,270,686
Deferred Revenue	2,039,688
Deposits	400

Total Liabilities: **\$ 3,310,774**

Net Position:

Invested in Capital Assets	\$50,418,869
Fund Balance	26,442,994

Total Net Position **\$76,861,863**

Total Liabilities and Fund Balance: **\$80,172,637**

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE EIGHT MONTHS ENDING FEBRUARY 28, 2015**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Revenues								
Federal Revenues	\$ 5,845,865	\$ 0	\$ 0	\$ 0	\$ 5,845,865	\$ 13,033,466	(7,187,601)	44.85
State Revenues	7,688,388	17,563,679	2,247,692	370,520	27,870,279	49,309,633	(21,439,354)	56.52
Local Revenues	3,685,762	0	0	1,852	3,687,614	4,836,984	(1,149,370)	76.24
Other Revenues	13	0	0	0	13	0	13	0.00
Interest	1,567	11,055	16,991	5,062	34,675	105,000	(70,325)	33.02
Total Revenues	17,221,595	17,574,734	2,264,683	377,434	37,438,446	67,285,083	(29,846,637)	55.64
Expenditures								
Administration								
Personnel Expenditures	1,545,051	0	0	0	1,545,051	2,663,500	(1,118,449)	58.01
Legal Services	12,976	0	0	0	12,976	25,900	(12,924)	50.10
Professional Services	69,320	0	0	0	69,320	107,600	(38,280)	64.42
Office Leases	98,107	0	0	0	98,107	149,200	(51,093)	65.76
Office Expenditures	272,760	0	0	0	272,760	320,800	(48,040)	85.02
Total Administration	1,998,214	0	0	0	1,998,214	3,267,000	(1,268,786)	61.16
Programs and Projects								
Transit & Transportation Program								
Senior-Disabled Transportation	84,939	0	0	0	84,939	140,925	(55,986)	60.27
Go Ventura Smartcard	128,416	0	0	0	128,416	248,500	(120,084)	51.68
Fare Collection APC Systems	93,298	0	0	0	93,298	571,753	(478,455)	16.32
VCTC Intercity Bus Service	13,689,297	0	0	0	13,689,297	16,956,072	(3,266,775)	80.73
HVT Bus Contract Services	3,239,431	0	0	0	3,239,431	4,184,330	(944,899)	77.42
Nextbus	162,128	0	0	0	162,128	520,906	(358,778)	31.12
Transit Grant Administration	1,722,516	0	0	0	1,722,516	6,157,731	(4,435,215)	27.97
Total Transit & Transportation	19,120,025	0	0	0	19,120,025	28,780,217	(9,660,192)	66.43

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)	% Year to Date
Highway Program								
Congestion Management Program	0	0	0	0	0	35,000	(35,000)	0.00
Motorist Aid Call Box System	0	0	0	210,464	210,464	440,500	(230,036)	47.78
SpeedInfo Highway Speed Sensor	0	0	0	81,400	81,400	144,000	(62,600)	56.53
Total Highway	0	0	0	291,864	291,864	619,500	(327,636)	47.11
Rail Program								
Metrolink & Commuter Rail	2,219,458	0	0	0	2,219,458	3,537,922	(1,318,464)	62.73
LOSSAN & Coastal Rail	31,901	0	0	0	31,901	35,300	(3,399)	90.37
Santa Paula Branch Line	203,512	0	0	0	203,512	769,356	(565,844)	26.45
Total Rail	2,454,871	0	0	0	2,454,871	4,342,578	(1,887,707)	56.53
Commuter Assistance Program								
Transit Information Center	16,592	0	0	0	16,592	45,500	(28,908)	36.47
Rideshare Programs	14,409	0	0	0	14,409	70,400	(55,991)	20.47
Total Commuter Assistance	31,001	0	0	0	31,001	115,900	(84,899)	26.75
Planning & Programming								
Transportation Development Act	199,778	16,371,241	0	0	16,571,019	32,911,017	(16,339,998)	50.35
Transportation Improvement Program	31,990	0	0	0	31,990	292,520	(260,530)	10.94
Regional Transportation Planning	46,607	0	0	0	46,607	466,000	(419,393)	10.00
Airport Land Use Commission	20,380	0	0	0	20,380	113,767	(93,387)	17.91
Regional Transit Planning	68,195	0	0	0	68,195	132,848	(64,653)	51.33
Freight Movement	45	0	0	0	45	12,500	(12,455)	0.36
Total Planning & Programming	366,995	16,371,241	0	0	16,738,236	33,928,652	(17,190,416)	49.33
General Government								
Community Outreach & Marketing	352,533	0	0	0	352,533	898,900	(546,367)	39.22
State & Federal Relations	54,776	0	0	0	54,776	86,200	(31,424)	63.55
Management & Administration	27,992	0	0	0	27,992	77,100	(49,108)	36.31
Office Building Purchase	9,052	0	0	0	9,052	722,001	(712,949)	1.25
Total General Government	444,353	0	0	0	444,353	1,784,201	(1,339,848)	24.90
Total Expenditures	24,415,459	16,371,241	0	291,864	41,078,564	72,838,048	(31,759,484)	56.40

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	Fund Totals Actual	Annual Budget	Variance Over (Under)
Revenues over (under) expenditures	(7,193,864)	1,203,493	2,264,683	85,570	(3,640,118)	(5,552,965)	1,912,847
Other Financing Sources							
Transfers Into GF from LTF	2,941,017	0	0	0	2,941,017	7,597,115	(4,656,098)
Transfers Into GF from STA	6,067,456	0	0	0	6,067,456	8,470,911	(2,403,455)
Transfers Into GF from SAFE	10,960	0	0	0	10,960	42,600	(31,640)
Transfers Out of LTF into GF	0	(2,941,017)	0	0	(2,941,017)	(2,817,017)	(124,000)
Transfers Out of STA into GF	0	0	(6,067,456)	0	(6,067,456)	(8,470,911)	2,403,455
Transfers Out of SAFE into GF	0	0	0	(10,960)	(10,960)	(42,600)	31,640
Total Other Financing Sources	9,019,433	(2,941,017)	(6,067,456)	(10,960)	0	4,780,098	(4,780,098)
Net Change in Fund Balances	1,825,569	(1,737,524)	(3,802,773)	74,610	(3,640,118)	(772,867)	(2,867,251)
Beginning Fund Balance	1,493,411	11,255,387	13,535,597	3,798,717	30,083,112	20,859,960	9,223,152
Ending Fund Balance	<u>\$ 3,318,980</u>	<u>\$9,517,863</u>	<u>\$9,732,824</u>	<u>\$3,873,327</u>	<u>\$26,442,994</u>	<u>\$20,087,093</u>	<u>\$ 6,355,901</u>

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF FEBRUARY 28, 2015**

As stated in the Commission's investment policy, the Commission's investment objectives are safety, liquidity, diversification, return on investment, prudence and public trust with the foremost objective being safety. VCTC has the ability to meet its expenditure requirements, at a minimum, for the next six months. Below is a summary of the Commission's investments that are in compliance with the Commission's investment policy and applicable bond documents.

Institution	Investment Type	Maturity Date	Interest to Date	Rate	Balance
Wells Fargo – Checking	Government Checking	N/A	\$1,603.46	0.01%	\$ 5,343,038.12
County of Ventura	Treasury Pool	N/A	\$33,072.15	0.25%	\$23,111,843.57
Total			\$34,675.61		\$28,454,881.69

Because VCTC receives a large portion of their state and federal funding on a reimbursement basis, the Commission must keep sufficient funds liquid to meet changing cash flow requirements. For this reason, VCTC maintains checking accounts at Wells Fargo Bank.

The Commission's checking accounts for the General Fund are swept daily into a money market account. The interest earnings are deposited the following day. The first \$250,000 of the combined deposit balance is federally insured and the remaining balance is collateralized by Wells Fargo Bank. A portion of interest earned in the General Fund is for Proposition 1B funds and is reclassified and is not shown as General Fund interest in the Statement of Revenues, Expenditures and Changes in Fund Balance.

The Commission's Local Transportation Funds (LTF), State Transit Assistance (STA) funds and SAFE funds are invested in the Ventura County investment pool. Interest is apportioned quarterly, in arrears, based on the average daily balance. The investment earnings are generally deposited into the accounts in two payments within the next quarter. Amounts shown are not adjusted for fair market valuations.

For Management Reporting Purposes Only



Item #8C

April 3, 2015

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: ELLEN TALBO, PROGRAM ANALYST

SUBJECT: PASSENGER RAIL UPDATE

RECOMMENDATION:

- Receive and file.

BACKGROUND:

This report provides a monthly update of regional passenger rail activities. The information in this update focuses on regional commuter rail (Metrolink), intercity rail (Amtrak), and other rail-related issues pertinent to Ventura County.

DISCUSSION:

Ridership & On-Time Performance (OTP)

During the month of February, ridership on the Ventura County Line averaged 3,647 total boardings per weekday (inbound and outbound) indicating a 1.0% increase from the previous month of January 2015, and a 0.8% decrease from the same month last year. Systemwide ridership experienced a 0.8% decrease from the previous month and a 0.9% decrease from the same period last year. Monthly ridership statistics for the month of February 2015 are provided in the attachment for reference.

On-time performance data (which denotes trains arriving within five minutes of scheduled time) for the month of December was 93.0% indicating relatively little change from the previous month.

Board & TAC Updates

Metrolink

In March, the Metrolink Board selected Art Leahy as the new chief executive officer who will begin his first day on April 20th. Mr. Leahy's previous leadership at LA Metro and the Orange County Transportation Authority will be particularly valuable to Metrolink since he is well-oriented with the joint power authority.

Also in March, the Metrolink Board awarded the contract to create a mobile/online ticketing solution to Masabi, LLC. This vendor has successfully implemented mobile/online ticketing in Boston, New York, many other transit agencies across the country and boasts an international client resume of transit providers on a mobile region-wide system.

In the coming months, Metrolink will work on the implementation process, part of which will include beta testing by an internal group who will utilize the new mobile app to purchase fares from their smartphones. The next implementation phases will then involve rolling out the application on select lines, initiating the fare enforcement element, incorporating Amtrak and the Corporate Quick Card fare elements, and then full system-wide implementation later this year.

LOSSAN

The monthly TAC and Board meetings for the month of March were canceled due to scheduling conflicts so there is little to report for last month. However, LOSSAN staff continues to negotiate terms of the interagency transfer agreement with the state in Sacramento.

In March, VCTC staff and Commissioner Bennett's staff attended a presentation regarding Ventura-Santa Barbara Surfliner service to the Santa Barbara County Association of Governments (SBCAG). Chad Edison, Deputy Director of the California State Transportation Agency (CalSTA) presented the State's initial modeling results for retimed Surfliner service between San Luis Obispo and San Diego, noting the benefits of the retimed service:

- increases in revenue line performance by 5%
- commuter friendly morning hours into Santa Barbara
- decent revenue performance of an evening train into Ventura County
- better timing of trains into San Luis Obispo.

When LOSSAN assumes management of the corridor by July 2015, retimed Surfliner service that results in improved corridor performance will be one of the JPA's priorities. In the meantime, both VCTC and SBCAG staff are continuing to research the best secured train storage location in Ventura County as well as options for coordinated schedule changes with Metrolink and Amtrak. The anticipated start date for rescheduled Surfliner service is Spring 2016.

February 2015 Metrolink Ridership

AVERAGE WEEKDAY PASSENGER TRIPS (INBOUND and OUTBOUND)
FEBRUARY 2015 v. JANUARY 2015 (MONTH OVER MONTH)

MO/YR	Ventura County Line	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA (weekday)
Feb-15	3,647	41,248	n/a
Jan-15	3,609	40,069	195
<i>Change</i>	<i>1.0%</i>	<i>2.9%</i>	<i>n/a</i>

AVERAGE WEEKDAY PASSENGER TRIPS (INBOUND and OUTBOUND)
JANUARY 2015 v. JANUARY 2014 (YEAR OVER YEAR)

MO/YR	Ventura County Line	System Grand Total	Metrolink Rail 2 Rail on Amtrak North of LA (weekday)
Feb-15	3,647	41,248	n/a
Feb-14	3,677	41,564	155
<i>Change</i>	<i>-0.8%</i>	<i>-0.9</i>	<i>n/a</i>

5 YEAR SNAPSHOT OF AVERAGE DAILY TOTAL BOARDINGS (INBOUND and OUTBOUND)

MO/YR	Ventura County Line	VC County Portion	System Grand Total	Average Daily Metrolink Monthly Passholders on Amtrak (weekday)
15-Feb	3,647	1,884	41,248	n/a
14-Feb	3,677	1,652	41,564	158
Feb-13	3,816	1,938	42,842	226
Feb-12	4,165	1,951	43,198	209
Feb-11	3,712	2,142	40,127	264
Feb-10	3757	2,105	40,596	376

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Item #8D

April 3, 2015

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: SIMI VALLEY PROPOSITION 1B TRANSIT CAPITAL APPROVAL OF PROJECTS

RECOMMENDATION:

- Approve programming \$1,550,000 of Proposition 1B Transit Capital for the Simi Valley Replacement CNG Buses purchase and \$1,250,000 of Proposition 1B Transit Capital for the Simi Valley Replacement Paratransit Vans purchase.
- Adopt Resolution 2015-05 in Attachment B authorizing the Executive Director to execute all required documents to receive the Transit Capital funds for approved projects.

BACKGROUND:

Proposition 1B, approved by the voters in 2006, includes \$3.6 billion statewide for transit capital projects, to be distributed to transit operators and regional agencies by formula. VCTC's total apportionment is approximately \$39,413,000. Much of this funding was programmed through recommendations from the VCTC Transit Investment Study and the selection criteria recommended by the study. To date, Proposition 1B Transit grants have funded about \$3.8 million in rail and rail station improvements and \$32.8 million in bus, paratransit, and transportation facility projects.

At the October 5, 2012 meeting, the Commission reserved \$13,890,000 for future bus replacement projects and the construction phase of the Gold Coast Transit facility. This reserve list included the purchase of four replacement buses and six replacement paratransit vans for Simi Valley Transit totaling \$2,800,000. At the July 2013, October 2013, and May, 2014 meetings, the Commission approved a total of 11,880,000 of the reserve list projects as they at the time that they were ready to move forward, leaving \$2,010,000 remaining on the reserve list.

DISCUSSION:

Recently, the City of Simi Valley informed staff that the projects remaining on the reserve list would be ready to start within the next 18 months. Due to pricing of the vehicles and the needs of the Simi Valley Transit fleet, the city would like to purchase three buses and five vans as follows:

- \$1,550,000 for three replacement CNG transit buses
- \$1,250,000 for five CNG paratransit replacement vans

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The total of the two projects is still \$2,800,000. After receipt of these funds, the last remaining project on the Proposition 1B Transit Capital Reserve List will be \$1,730,000 for replacement paratransit vans for Gold Coast Transit.

Resolution 2015-05 in Attachment B authorizes the Executive Director to submit all required documents to Caltrans for these projects.

This recommendation was approved by TRANSCOM at the March 12, 2015 meeting.

Proposition 1B Transit Capital Reserve List

Agency	Description	Amount Reserved	Amount Recommended for Current Funding Cycle
Gold Coast	24 replacement paratransit vehicles	\$1,730,000	\$0
Simi Valley	Four replacement CNG transit buses.	\$2,200,000	\$1,550,000
Simi Valley	Six CNG paratransit replacement vans	\$600,000	\$1,250,000
TOTAL		\$4,530,000	\$2,800,000

Previously Allocated Proposition 1B Transit Capital Reserve List Projects

Thousand Oaks	Replacement DAR Vehicles	\$800,000	July 12, 2013
Gold Coast	New administration, maintenance, and operations facility	\$1,610,000	July 12, 2013
Gold Coast	New administration, maintenance, and operations facility, phase II	\$5,610,000	May 9, 2014
Gold Coast	24 Replacement Paratransit Vehicles	\$900,000	May 9, 2014
TOTAL		\$8,920,000	

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**RESOLUTION #2015-05 OF THE
VENTURA COUNTY TRANSPORTATION COMMISSION
FOR THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES
FOR THE PROPOSITION 1B PUBLIC TRANSPORTATION
MODERNIZATION, IMPROVEMENT, AND SERVICE ENHANCEMENT
ACCOUNT BOND PROGRAM**

WHEREAS, the Ventura County Transportation Commission ("VCTC") is an eligible project sponsor and may receive state funding from the Public Transportation Modernization, Improvement, and Service Enhancement Account ("PTMISEA") now or sometime in the future for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 88 (2007) named the Department of Transportation ("Department") as the administrative agency for the PTMISEA; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing PTMISEA funds to eligible project sponsors (local agencies); and

WHEREAS, VCTC has reviewed eligible transit capital projects through the Transit Management Advisory Committee (TRANSCOM), and developed a list of priority projects.

NOW, THEREFORE, the Ventura County Transportation Commission does hereby resolve as follows:

Section 1. VCTC adopts the Proposition 1B PTMISEA Fiscal Year 2014/15 project list (Attachment A) and approves the applicant list.

Section 2. VCTC will comply with all conditions and requirements set forth in the Certification and Assurances document (Attachment B) and applicable statutes, regulations, and guidelines for all PTMISEA funded transit projects.

Section 3. VCTC authorizes the Executive Director to execute all required documents of the PTMISEA program and any Amendments thereto with the California Department of Transportation.

PASSED AND ADOPTED by the VCTC at its regular meeting this 3rd day of April, 2015

Peter Foy, Chair

ATTEST:

Donna Cole, Clerk

APPROVED AS TO FORM:

Steven T. Mattas, General Counsel

Proposition 1B PTMISEA Fiscal Year 2014/15 Project List

Agency	Project Title	PTMISEA Awarded
Simi Valley	Four replacement CNG transit buses.	\$1,550,000
Simi Valley	Six CNG paratransit replacement vans	\$1,250,000

Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) Bond Program

Certifications and Assurances

Project Sponsor: *Ventura County Transportation Commission.*

Effective Date of this Document: *May 9, 2014*

The California Department of Transportation (Department) has adopted the following certifications and assurances for the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) bond program. As a condition of the receipt of PTMISEA bond funds, project sponsors must comply with these terms and conditions.

A. General

- (1) The project sponsor agrees to abide by the current PTMISEA Guidelines
- (2) The project sponsor must submit to the Department a PTMISEA Program Expenditure Plan, listing all projects to be funded for the life of the bond, including the amount for each project and the year in which the funds will be requested.
- (3) The project sponsor must submit to the Department a signed Authorized Agent form designating the representative who can submit documents on behalf of the project sponsor and a copy of the board resolution appointing the Authorized Agent.

B. Project Administration

- (1) The project sponsor certifies that required environmental documentation is complete before requesting an allocation of PTMISEA funds. The project sponsor assures that projects approved for PTMISEA funding comply with Public Resources Code § 21100 and § 21150.
- (2) The project sponsor certifies that PTMISEA funds will be used only for the transit capital project and that the project will be completed and remains in operation for its useful life.
- (3) The project sponsor certifies that it has the legal, financial, and technical capacity to carry out the project, including the safety and security aspects of that project.
- (4) The project sponsor certifies that they will notify the Department of pending litigation, dispute, or negative audit findings related to the project, before receiving an allocation of funds.

- (5) The project sponsor must maintain satisfactory continuing control over the use of project equipment and facilities and will adequately maintain project equipment and facilities for the useful life of the project.
- (6) Any interest the project sponsor earns on PTMISEA funds must be used only on approved PTMISEA projects.
- (7) The project sponsor must notify the Department of any changes to the approved project with a Corrective Action Plan (CAP).
- (8) Under extraordinary circumstances, a project sponsor may terminate a project prior to completion. In the event the Project Sponsor terminates a project prior to completion, the Project Sponsor must (1) contact the Department in writing and follow-up with a phone call verifying receipt of such notice; (2) pursuant to verification, submit a final report indicating the reason for the termination and demonstrating the expended funds were used on the intended purpose; (3) submit a request to reassign the funds to a new project within 180 days of termination.
- (9) Funds must be encumbered and liquidated within the time allowed in the applicable budget act.

C. Reporting

- (1) Per Government Code § 8879.55, the project sponsor must submit the following PTMISEA reports:
 - a. Semi-Annual Progress Reports by February 15th and August 15th each year.
 - b. A Final Report within six months of project completion.
 - c. The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of PTMISEA bond funds. A copy of the audit report must be submitted to the Department within six months of the close of the year (December 31) each year in which PTMISEA funds have been received or expended.

D. Cost Principles

- (1) The project sponsor agrees to comply with Title 2 of the Code of Federal Regulations 225 (2 CFR 225), Cost Principles for State and Local Government, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- (2) The project sponsor agrees, and will assure that its contractors and subcontractors will be obligated to agree, that (a) Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual project cost items and (b) those parties shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving PTMISEA funds as a contractor or sub-contractor shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

- (3) Any project cost for which the project sponsor has received payment that are determined by subsequent audit to be unallowable under 2 CFR 225, 48 CFR, Chapter 1, Part 31 or 49 CFR, Part 18, are subject to repayment by the project sponsor to the State of California (State). Should the project sponsor fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the project sponsor from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

E. Record Retention

- (1) The project sponsor agrees, and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the project sponsor, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices. All accounting records and other supporting papers of the project sponsor, its contractors and subcontractors connected with PTMISEA funding shall be maintained for a minimum of three (3) years from the date of final payment and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the project sponsor, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the Project Sponsor pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the project sponsor's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
- (2) For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the project sponsor's contracts with third parties pursuant to Government Code § 8546.7, the project sponsor, its contractors and subcontractors and the State shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a project for audits, examinations, excerpts, and transactions, and the project sponsor shall furnish copies thereof if requested.
- (3) The project sponsor, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission, or any other agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

F. Special Situations

- (1) A project sponsor may lend its unused funds from one year to another project sponsor for an eligible project, for maximum fund use each fiscal year (July1 – June 30). The project sponsor shall collect no interest on this loan.
- (2) Once funds have been appropriated in the budget act, a project sponsor may begin a project with its own funds before receiving an allocation of bond funds, but does so at its own risk.
- (3) The Department may perform an audit and/or request detailed project information of the project sponsor's PTMISEA funded projects at the Department's discretion at any time prior to the completion of the PTMISEA program.

I certify all of these conditions will be met.

VENTURA COUNTY TRANSPORTATION COMMISSION

BY:

Darren Kettle, Executive Director



Item # 8E

April 3, 2015

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: ALAN HOLMES, TRANSPORTATION DEMAND MANAGEMENT
PROGRAM MANAGER**

SUBJECT: COMMUTER SERVICES QUARTERLY REPORT

RECOMMENDATION:

- Receive and file

DISCUSSION:

To improve reporting of Ventura County Rideshare activities, staff prepares and submits to the Commission quarterly reports for review. The primary focus of the Commuter Services program is to reduce traffic congestion and improve air quality by a voluntary reduction of single occupant vehicle (SOV) commute trips in Ventura County. SOV trips are reduced by offering direct assistance to employers located in Ventura County and through the provision of services to county residents, promoting carpooling, vanpooling, bus pooling, transit, walking, biking, and other Transportation Demand Management (TDM) commute alternatives.

Marketing Activities:

Through the second quarter of Fiscal Year 2014/2015, VCTC staff and its marketing consultant continued to promote the agency's popular Commuter Services program through a variety of channels. During this period, VCTC implemented its Rideshare Week 2014 campaign and distributed targeted communications via social media and email (eBlast).

Employer Support

- **Commuter eBlast** – The Commuter Services program's monthly communication continued to be distributed electronically on the first business day of each month to a database of approximately 250 ETCs located at employers throughout the county. Specific eBlast topics included "Rideshare Week 2014 Is Coming Oct. 6-10; Rideshare Luncheon a Success," "Rideshare Week 2014 One of the Best Yet!" and "'Tis the Season to Rideshare."

- **On the Go newsletter (CommuteSmart newsletter)** – Commuter Services continued hosting and distribution of the new “On the Go” newsletter (former the “CommuteSmart newsletter”) to Ventura County ETCs, including monthly availability announcement eblasts. Content was created for the monthly newsletter and uploaded to www.GoVenturaRideshare.org in advance of monthly distribution to approximately 250 contacts.
- **Rideshare Week 2014** – While one employer outreach event was conducted during the first quarter of FY 2014/2015 (Sage Publication on September 26), the majority of outreach activities in support of Rideshare Week 2014 took place in October 2014. Eight employer events were held during Rideshare Week (which began October 2), with three additional events taking place the week prior (for a total of twelve total campaign-related events). These events included:
 - Macy's (October 1),
 - Harbor Freight Tools (October 1),
 - Simi Valley Library (October 2),
 - Spatz Labs (October 6),
 - SloanLED (October 6),
 - WellPoint (October 7),
 - Ventura County Government Center (October 7),
 - Ensign-Bickford (October 8),
 - Meissner Filtration (October 8),
 - Benchmark Electronics (October 9), and
 - DEX (October 10).

Participation in Rideshare Week was promoted in advance of the weeklong event via social media, VCTC's “On the Move” newsletter, an online announcement on GoVentura.org; promotional packets distributed to local employers, radio advertising, an on-air radio interview, and printed content in the Ventura County *Star*. In total, a near-record 1,059 participants from 113 individual employers throughout Ventura County pledged to participate in Rideshare Week. Using data collected from the pledge forms, we calculated that those who normally drive to work alone and pledged to utilize an alternative commute mode during Rideshare Week could save an additional 11,657 vehicle miles traveled each day. In addition to a special giveaway promotion provided to the first 1,000 pledges, a total of 22 individuals won prizes for their participation, while five businesses were recognized for their achievements. Follow-up communications – including a media release, eBlast, and article in VCTC's “On the Move” newsletter – were crafted to announce winners and provide a summary of the campaign.

Outreach and Promotion

- **Employer Events** – In addition to Rideshare Week 2014 event staffing, VCTC presented at the Camarillo Outlets Managers Meeting on November 5. Rideshare-related information and incentives were communicated to attendees.

Social Media

- **Facebook and Twitter** – Approximately 37 percent of all posts and tweets on Facebook and Twitter during the second quarter encouraged ridesharing. Across the quarter, Facebook “likes” increased approximately two percent and Twitter followers increased approximately four percent.

Print Media

- **Rideshare Week 2014** – Promotional pieces, including posters/flyers and pledge cards, were produced and distributed to local employers in support of Rideshare Week. Additional event posters, postcards, and printed pledge cards were produced and made available during on-site Rideshare Week events. Printed “thank you” cards were also produced and enclosed in the mailer associated with the “first 1,000 pledges” giveaway promotion.

Second Quarter FY 2014/2015 Planned Activities:

- Continue distribution of monthly Rideshare-themed eBlasts to employers throughout Ventura County.
- Begin preparations for the Earth Day (April) and Bike to Work Week (May) annual promotions.
- Secure and facilitate rideshare-related events/promotions at employer sites throughout Ventura County.
- Continue using social media to promote the benefits of ridesharing, the availability of new employer materials, and upcoming events.
- Develop content for the “On the Go” newsletter, host associated files on www.GoVentura.org, and distribute corresponding eBlasts to local employers.

Services:

Through the second quarter of Fiscal Year 2014/2015, VCTC staff continued to provide ridematching, employer support, and Guaranteed Ride Home services to commuters and employers throughout Ventura County. Over 29,100 commuters and 300 worksites are currently on file, with over 5,100 commuters active for ridematching. More than 900 matches were attempted, which is above average for a single quarter and in line with the annual goal. Approximately 70 percent of carpool matches were done online, which contributes to an overall decrease in call volume. Ten Guaranteed Rides Home were provided during this quarter, which is in line with anticipated usage of the program.

Program Metrics:

Annual program metrics were developed in order to measure the progress and success of the Commuter Services program. Marketing metrics assess performance against established goals, which are based on anticipated activities as well as prior year performance. Service metrics review current performance against similarly developed goals. Each of the metrics for the second quarter of FY 2014/15 (below) is compared against the overall goal for the year as well as the actual performance from FY 2013/14 and the totals for FY2014/15 to date.

Marketing	FY 14/15 2 nd Quarter	FY 14/15 YTD Total	FY 14/15 Goal	FY 13/14 Actual
Percent of total VCTC social media content	37%	31.65%	37%	36.5%
Commuter Services-related eblasts	3	6	26	24
Commuter Services eblast click-throughs	19.06%	19.72%	25%	23.5%
On the Move newsletter articles	4	6	15	15
Worksite/employer events	12	14	18	16
Community events	1	5	20	18
Rideshare Week participants	1,059	1,059	1,000	763
Bike to Work Week participants	N/A	N/A	250	228
Marketing pieces	1	6	15	14

Commuter Services Overview

Ridesharing enjoys the single largest mode share other than SOVs according to the American Community Survey with almost 13% of Ventura County workers sharing the ride.

The Commuter Services program supports ridesharing and works to reduce traffic congestion and improve air quality by facilitating voluntary reduction of single occupant vehicle (SOV) commute trips in Ventura County. SOV trips are reduced by offering direct assistance to employers located in Ventura County and through the provision of services to county residents, promoting carpooling, vanpooling, bus pooling, transit, walking, bicycling, and other Transportation Demand Management (TDM) commute alternatives.

The Commuter Services staff maintains a database of employers with 100 or more employees. Through the participation in VCTC- provided services, registered employees can find others travelling in the same direction. Employees can access the ride matching system directly with a username/password combination or through VCTC staff via phone or email.

Services	FY 14/15 2nd Quarter	FY 14/15 Goals	FY 13/14 Actual
Database			
Commuters on file	29,140	30,100	30,082
Commuters active for matching	5,180	5,700	5,532
Company worksites on file	301	300	300
Estimated Avg. Home to work distance	14.06	N/A	13.36
AVR reports generated	32	52	37

Employees can access the ridematching system directly with a username/password combination or through VCTC staff via phone or email. The table below provides the number of commuters requesting personalized ridematching information

Services	FY 14/15 2nd Quarter	FY 14/15 Goals	FY 13/14 Actual
Matching Transactions			
Number of carpool matches attempted:			
Public (web)	583	1,600	1,542
Staff	333	850	817
Total carpool matches attempted (RideGuides)	916	2,450	2359
Number receiving at least one match	693	1,800	1,734
Average age of matching record (days)	132	160	190
Average number of matches/RideGuide	8	8	10
Avg. distance home/work	15.3	N/A	18.1
RideSmart Tips generated	7,274	10,500	9,151
Incoming Call Volume	24	120	96

Guaranteed Ride Home Program

Offers a free ride home via taxi or overnight use of a rental car to registered carpoolers, vanpoolers and transit users should they experience a personal emergency or unexpected overtime. Trips of twenty miles or less are provided by taxi; trips over twenty mile by rental car.

	FY 14/15 2nd Quarter	FY 14/15 Goals	FY 13/14 Actual
Guaranteed Ride Home Program Usage			
Rental Car Trips	3	15	25
Taxi Rides	6	25	27
Total	9	40	52

Estimated Program Benefits

Program benefits are estimated based on the number of RideGuides generated for a specific time period. The ridematching software utilizes a formula to estimate the reduction in vehicle miles travelled (VMT) using the industry standard placement rate of 7% of employees that receive a RideGuide changes their commute mode from driving alone to an alternative commute mode. The Reduction in Commuting Costs figure is based on latest annual AAA Cost of Driving estimate, currently set at \$0.59 per mile. Reductions in pollution are based on the latest available data from multiple sources, including the Environmental Pollution Agency (EPA), the California Air Resources Board (ARB), and local agencies.

	FY 14/15 2nd Quarter	FY 14/15 Goals	FY 13/14 Actual
Estimated Program Benefits			
Reduction in Vehicles Miles of Travel	981,519	2,600,000	2,531,410
Reduction in Commuting Costs	\$534,706	\$1,400,000	\$1,366,866
Reduction in carbon monoxide (tons)	10.17	32.0	26.23
Reduction in volatile organic compounds (tons)	1.11	3.85	2.87
Reduction in Oxides of Nitrogen (tons)	.75	1.2	1.93

A more detailed description of services offered to Ventura County's commuters is below.

- Customized reports
The RidePro ridematching software has a robust report writer feature that allows the user to create origin/destination reports by mode. This has proven to be a useful feature for employers considering beginning or expanding a carpool and /or vanpool program.
- Employer Rideshare Program Enhancement
Customized rideshare programs are developed for employers upon request. The program is based on several factors including available budget, site location, amenities, employee classification, and local resources.
- Commuter Benefits education/updates
Provide information and updates for employers regarding Transportation Fringe Benefits (IRS code section 132(f)) which allows employees to withhold pre-tax up to \$130/month for transit/ vanpool fares and up to \$20/month for bicycle commuting costs.

CalVans:

CalVans Passengers			
	Weekdays	Saturday	Sunday
Oct	4,865	136	41
Nov	3,562	222	122
Dec	2,777	140	64
TOTAL	11,204	498	227
Miles			

The California Vanpool Authority (CalVans) is a Joint Powers Authority which operates commuter vanpools within jurisdictions of its member agencies. A full suite of third-party vanpool services are available including vehicle acquisition, insurance, maintenance, driver recruitment and training. Thirteen vanpools are currently based in Ventura County and over four hundred are operating statewide reducing traffic congestion, air pollution and saving participants thousands of dollars per year compared to driving alone. CalVans operations in the county are supported solely by passenger fares.

	Weekdays	Saturday	Sunday
Oct	17,077	1,518	406
Nov	11,992	1,849	77
Dec	9,155	1,229	820
TOTAL	38,224	4,596	1,303
Passenger Lane Miles			
	Weekdays	Saturday	Sunday
Oct	181,658	15,806	3,308
Nov	127,703	20,864	646
Dec	101,735	14,704	10,018
TOTAL	411,096	51,374	13,972

The second quarter saw normal winter seasonal decrease of agricultural vanpool usage. The holidays, coupled with a smaller strawberry, or short crop production, resulted in the return of five agricultural vanpools. To balance this decrease of ridership, four current and one new vanpool traveled through the Heritage Valley to work the citrus crops from Ventura County to Maricopa County. These vanpools travel close to one thousand five hundred miles per week and carry full crews. The Ventura County JARC dollars have greatly assisted these all these vanpool riders.

A new local agricultural grower is coming onboard with CalVans. Rio Farms and Gills Onion are currently recruiting drivers and will be assisting with a portion of the vanpool cost. We have two drivers committed and have great hopes to expand the program. Management at Channel Tech Group is promoting a new vanpool from Ventura to Goleta. To date, staff has conducted two employee presentations and is in need of two additional riders to make the vanpool affordable for the employees. Implant Direct in Thousand Oaks currently has three commuter vanpools running from the Oxnard area. In the upcoming quarter, we anticipate several of the returned vans will resume service as local strawberry production increases.

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Item # 8F

April 3, 2015

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: STEVE DEGEORGE, PLANNING & TECHNOLOGY DIRECTOR
SUBJECT: VENTURA COUNTY REGIONAL BICYCLE WAYFINDING PROJECT

RECOMMENDATION:

- Authorize release of a Request for Proposal (RFP), for the Ventura County Regional Bicycle Wayfinding Project contained in the approved Fiscal Year 2014/2015 Budget.

BACKGROUND:

The Ventura County Transportation Commission (VCTC) authorized the Ventura County Regional Bicycle Wayfinding project and designated the Transportation Technical Advisory Committee (TTAC) as the oversight committee for the project. To assist staff with moving this project forward VCTC contracted with COH & Associates, Inc. to provide project management services. Carlos Hernandez of COH & Associates, Inc. has been working closely with VCTC staff, TTAC, and bicycle advocates to develop a Scope of Work, Request for Proposal (RFP), consultant selection process. Funding for this effort was set aside and included in the adopted Fiscal Year 2014/2015 budget.

The Wayfinding project will identify intercity and cross county bicycle routes, develop and install common signage, as well as identify and prioritize gaps in the regional network. Directional signage will facilitate intercity bicycle travel as an alternative to the automobile and assist the region in meeting the goals of the 2012 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

DISCUSSION:

The RFP, included in Attachment A to this agenda item, was developed in cooperation with TTAC and bicycle advocates throughout the County. TTAC approved the Draft RFP at their March 2015 meeting and staff is recommending that the Commission authorize the release of the RFP. Staff will return to the Commission for contract authorization at the July 2015 meeting.

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Attachment A

VENTURA COUNTY TRANSPORTATION COMMISSION REQUEST FOR PROPOSAL FOR DEVELOPMENT AND DESIGN OF THE VENTURA COUNTY REGIONAL BICYCLE WAYFINDING PROGRAM

INTRODUCTION

The Ventura County Transportation Commission (VCTC) has issued this Request for Proposal (RFP) to obtain professional services from a qualified firm, group or individual (consultant) to develop a countywide bicycle wayfinding program and route plan. All work will be done in accordance with Federal, State and local rules and regulations, and the Scope of Work in this RFP.

BACKGROUND

The VCTC authorized the Ventura County Regional Bicycle Wayfinding Project on February 7, 2014. The Project will identify intercity and cross county bicycle routes, develop common signage, as well as identify and prioritize gaps in the regional network. Directional signage will facilitate intercity bicycle travel as an alternative to the automobile and assist the region in meeting the goals of the 2012 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

The Project will design a regional/intercity bicycle wayfinding system throughout the County as well as connect with Santa Barbara and Los Angeles Counties. While each city and the County will have portions of the regional network in their jurisdiction, the focus of the project is regional in nature rather than developing local bicycle routes. Signage will be allowed on existing designated signed bicycle facilities, state highways, and local roads used by bicyclists at the discretion of the local jurisdiction. Roads identified as critical for bicycle travel but not adequate for bicycle use will be considered for future signage and prioritized for funding opportunities. The Project also will identify gaps in routes and missing links for priority funding. A Regional Bicycle Improvement Project list would be developed from improvements identified in the study.

This project will establish a regional bicycle wayfinding program and route plan in Ventura County. The project does not include the fabrication or installation of bicycle signs. The project will, however, establish a consistent sign design and how the signs will be produced, installed and maintained within each local jurisdiction. The project will also describe institutional arrangements required between jurisdictions to implement the program.

QUALIFICATIONS

The VCTC is seeking proposals from qualified consultants with proven experience developing bicycle wayfinding programs and route plans. Proposals should specify how long the consultant submitting the proposal has been in the business of developing bicycle wayfinding services similar to those described in this RFP, and whether the consultant team includes experienced bicycle riders to develop and test the routes. Proposals should include bicycle wayfinding projects completed by the company similar to that described in this RFP with contact information for references. At a minimum, proposals should include the company or agency name, project location, services provided including deliverables, examples of design material and product, dates services were provided, and contact person(s) name, telephone number and address. Proposals shall also include proposed staffing and organization of personnel to be assigned to the project including resumes.

SCOPE OF WORK

The consultant will work alongside VCTC staff and a project administrative consultant to complete the scope of work described below. There are available bicycle route inventories from completed studies that the consultant should utilize to identify routes. VCTC staff will be responsible for administering the project and overseeing the consultant's work on this project working closely with VCTC's Transportation Technical Advisory Committee (TTAC), local jurisdictions and bicycle groups. The VCTC project administrative consultant already hired by VCTC will be primarily responsible for planning and facilitating public meetings and other community outreach related to this project. The consultant, however, will be responsible for developing material to be used by VCTC to obtain public input on project deliverables. Printing and mailing costs associated with public communications shall be VCTC's responsibility. The VCTC desires the selected contractor to perform work further divided into six tasks:

- Route Inventory and Assessment
- Sign Design Protocol
- Route Selection & Sign Placement
- Sign Specifications and Estimates
- Program Administration
- Project Management

The proposal must include all items that the consultant believes are necessary to complete the project even if not included in the Scope of Work below.

A. ROUTE INVENTORY AND ASSESSMENT

Task A consists of the following four activities:

1. Analysis of route options including review of existing resources.
2. Identify preliminary route alternatives that form a network with connections between routes.
3. Prioritize the implementation of routes.
4. Produce report that summarizes findings from activities 1, 2 & 3 above.

1. ANALYSIS OF ROUTE OPTIONS INCLUDING REVIEW OF EXISTING RESOURCES.

The consultant shall include in its review the following existing resources when analyzing potential route alternatives: the Pacific Coast Route; the Ventura County Regional Trails and Pathways Final Master Plan Report (County of Ventura, 1995); the Ventura County Regional Bikeways Plan (VCTC, 1996); the Ventura Countywide Bicycle Master Plan (VCTC 2007), Safe Routes to Schools and bicycle plans from local agencies in Ventura County, ~~and~~ the VCTC bicycle map, Strava.com data, Adventure Cycling routes, and material from bicycle users and groups.

2. IDENTIFY PRELIMINARY ROUTE ALTERNATIVES

The consultant shall identify preliminary route alternatives that form a network with connections between routes including the pros and challenges associated with each route alternative, and

missing gaps and links. Signage will be allowed on existing signed bicycle facilities, state highways, and local roads used by bicyclists at the discretion of the local jurisdiction.

The consultant is expected to test and ride the routes with bicycle groups (assume five 8-hour days). Routes identified as critical for bicycle travel but not adequate for bicycle use will be considered for future signage and prioritized for funding opportunities (refer to Task C.3).

3. PRIORITIZE THE IMPLEMENTATION OF ROUTES

The consultant shall prioritize the implementation of route alternatives and network expansion using criteria to be developed by the consultant with input from stakeholders including bicycle groups.

4. PRODUCE TASK A REPORT

The consultant shall produce a report on Task A summarizing the findings from activities 1 through 3 including ESRI shapefiles that identify the preliminary routes.

B. SIGN DESIGN PROTOCOL

Task B consists of the following three activities:

1. Describe existing local jurisdiction sign design standards and requirements that could affect the design of the regional bicycle wayfinding sign.
2. Develop sign design alternatives and recommendations.
3. Produce report that summarizes findings and recommendations from activities 1 and 2 above.

1. DESCRIBE DESIGN STANDARDS AND REQUIREMENTS

The consultant shall describe existing federal and state design standards and requirements for bicycle wayfinding signs and related infrastructure, and identify regulations from local jurisdictions in Ventura County (all 10 cities and the County) that may affect the design of the regional bicycle wayfinding sign. The consultant shall also describe best practices and lessons learned from other jurisdictions that have installed bicycle wayfinding systems.

2. DEVELOP SIGN DESIGN ALTERNATIVES AND RECOMMENDATIONS

The consultant shall work with all local jurisdictions in Ventura County to design wayfinding signs. The consultant shall develop bicycle wayfinding sign alternatives including CA-MUTCD, modified CA-MUTCD and original designs developed by the consultant. At least one design alternative should allow for individual jurisdictional branding while maintaining consistency throughout the County. The consultant shall describe the pros and challenges for all sign design alternatives.

3. PRODUCE TASK B REPORT

The consultant shall produce a report summarizing the findings from activities 1 and 2 including the sign design alternatives. Upon review and comment by VCTC and stakeholders, the consultant shall recommend the best sign design alternative for the Program and include it in the draft report.

C. ROUTE SELECTION AND SIGN PLACEMENT

Task C consists of the following four activities:

1. Identify preferred route alternatives and recommendations.
2. Identify locations for bicycle wayfinding infrastructure.
3. Identify gaps and missing links.
4. Produce report that summarizes findings from activities 1, 2 & 3 above.

1. IDENTIFY PREFERRED ROUTE ALTERNATIVES AND RECOMMENDATIONS

The consultant shall identify, recommend, and prioritize preferred routes for installation of the regional wayfinding system based on input received from VCTC and stakeholders from Task A. The consultant shall create ESRI shapefiles that identify the routes.

2. IDENTIFY LOCATIONS FOR WAYFINDING INFRASTRUCTURE

The consultant shall identify locations within the recommended routes to install bicycle wayfinding signs and related infrastructure, and identify challenges associated with installing bicycle wayfinding infrastructure where applicable. The consultant shall specify the type of sign proposed for each location. The consultant shall create ESRI shapefiles including longitude and latitude to identify the location of signs and related infrastructure.

3. IDENTIFY GAPS AND MISSING LINKS

The consultant shall identify gaps and missing links in the system including a description of the type of improvement(s) needed and general benefits associated with closing the gaps and desired connections. A Regional Bicycle Improvement Project list will be created from gaps and missing links identified under this activity. The consultant shall create ESRI shapefiles that locate the missing gaps and links.

4. PRODUCE ROUTE PLAN

The consultant shall produce a plan (draft and final) including ESRI shapefiles that describe and illustrate the recommended routes, sign type and location (including sign message). This information shall be included in the draft and final program reports.

D. SIGN SPECIFICATIONS AND ESTIMATES

Task D consists of the following three activities:

1. Develop sign drawings, specifications and cost estimates.
2. Develop cost estimates to maintain the system.
3. Produce report that summarizes findings from activities 1 and 2 above.

1. DEVELOP DRAWINGS, SPECIFICATIONS AND COST ESTIMATES

The consultant shall develop drawings, specifications and cost estimates for producing and installing the wayfinding signs and related infrastructure recommended in Tasks B and C.

2. DEVELOP COST ESTIMATES TO MAINTAIN THE SYSTEM

The consultant shall develop cost estimates to operate and maintain the system based on the program administration recommendations provided in Task E.

3. PRODUCE SUMMARY OF FINDINGS AND RECOMMENDATIONS

The consultant shall summarize its findings, options and recommendations to operate the system and include them in the draft and final program and reports.

E. PROGRAM ADMINISTRATION

Task E consists of the following two activities:

1. Identify management options to operate and maintain the system.
2. Produce report that summarizes findings and recommendations from activity 1 above

1. IDENTIFY MANAGEMENT OPTIONS TO ADMINISTER SYSTEM

The consultant shall identify management options and recommendations to administer, operate and maintain the wayfinding system using examples from other jurisdictions whenever possible. The options and recommendations should be developed with the expectation that the wayfinding system will be expanded beyond that developed under this Scope of Work.

2. PRODUCE SUMMARY OF FINDINGS AND RECOMMENDATIONS

The consultant shall summarize its findings, options and recommendations to operate and maintain the system and include them in the draft and final program and reports.

F. PROJECT MANAGEMENT

The consultant shall establish a clear and consistent communication framework for the duration of the Project. Proposals should include an effective project management approach that includes regular project updates and coordination between consultant members. Proposals that include a team of consultants should identify the lead firm and the project principal. Task F consists of the following two activities:

1. Provide regular updates to the VCTC project manager.
2. Present draft and final reports to the VCTC Transportation Technical Advisory Committee (TTAC) and the VCTC policy board.

1. PROVIDE BI-MONTHLY UPDATES

The consultant shall provide at least one written project update summary to VCTC each month for the duration of the project. The summary shall include accomplishments and challenges during the last period, and proposed work and action items for the next period.

2. PROVIDE PRESENTATIONS TO TTAC and VCTC BOARD

The consultant shall present the draft and final reports to the TTAC and the VCTC policy board.

GENERAL REQUIREMENTS

INSURANCE

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the consultant, its agents, representatives, or employees.

MINIMUM SCOPE AND LIMIT OF INSURANCE

Coverage shall be at least as broad as:

1. Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis for bodily injury and property damage, including products-completed operations, personal injury and advertising injury, with limits no less than \$1,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto), or if Consultant has no owned autos, Code 8 (hired) and 9 (non-owned), with limit no less than \$1,000,000 per accident for bodily injury and property damage.
3. Workers' Compensation insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease. (Not required if consultant provides written verification it has no employees).
4. Professional Liability (Errors and Omissions) Insurance appropriate to the consultant's profession, with limit no less than \$1,000,000 per occurrence or claim, \$2,000,000 aggregate.

If the consultant maintains higher limits than the minimums shown above, the VCTC requires and shall be entitled to coverage for the higher limits maintained by the contractor.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Additional Insured Status

The VCTC, its officers, officials, employees, and volunteers are to be covered as additional insureds on the auto policy with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the consultant; and on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the consultant including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the consultant's insurance (at least as broad as ISO Form CG 20 10, 11 85 or both CG 20 10 and CG 23 37 forms if later revisions used).

Primary Coverage

For any claims related to this contract, the consultant's insurance coverage shall be primary insurance as respects the VCTC, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the VCTC, its officers, officials, employees, or volunteers shall be excess of the consultant's insurance and shall not contribute with it.

Notice of Cancellation

Each insurance policy required above shall state that coverage shall not be canceled, except with notice to the VCTC.

Waiver of Subrogation

Consultant hereby grants to VCTC a waiver of any right to subrogation that any insurer of said consultant may acquire against the VCTC by virtue of the payment of any loss under such insurance. Consultant agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the VCTC has received a waiver of subrogation endorsement from the insurer.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII, unless otherwise acceptable to the VCTC.

Claims Made Policies

If any of the required policies provide coverage on a claims-made basis:

1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.
2. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work.
3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, the consultant must purchase "extended reporting" coverage for a minimum of five (5) years after completion of contract work.

Verification of Coverage

Consultant shall furnish the VCTC with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the VCTC before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the consultant's obligation to provide them. The VCTC reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Subcontractors

Consultant shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein.

Special Risks or Circumstances

VCTC reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

Deductibles and Self-Insured Retentions

Consultant shall disclose to and obtain the approval of VCTC for any self-insured retention and/or deductible of all insurance policies required by this Agreement before beginning any of the services or work called for by any term of this Agreement/approval of this agreement by VCTC. The VCTC may require the consultant to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. Further, if any insurance policy required by this Agreement includes a self-insured retention that must be paid by a named insured as a precondition of the insurer's liability, or which has the effect of providing that payments of the self-insured retention by others, including additional insureds or insurers do not serve to satisfy the self-insured retention, such provisions must be modified by special endorsement so as to not apply to the additional insured coverage required by this agreement so as to not prevent any of the parties to this agreement from satisfying or paying the self-insured retention required to be paid as a precondition to the insurer's liability. Additionally, the certificates of insurance must note whether the policy does or does not include any self-insured retention and also must disclose the deductible.

PERMITS

Consultant shall, at consultant's expense, obtain all necessary permits and licenses necessary to perform and complete the work under this Agreement, give all notices, and pay all fees and taxes required by law. Any permits required from VCTC shall be granted to consultant at no cost.

INDEMNIFICATION

Notwithstanding the existence of insurance coverage required of consultant pursuant to this Agreement, consultant shall save, keep, indemnify, hold harmless and defend VCTC and its appointed and elected officials, officers, employees and agents, from every claim or demand made and every liability, loss damage or expense of any nature whatsoever and all costs or expenses incurred in connection therewith, which arise at any time, by reason of damage to the property of, or personal injury to, any person, occurring or arising out of the performance of consultant, its officers, agents or employees, including but not limited to, its subcontractors, of the work required pursuant to this agreement, occasioned by any alleged or actual negligent or wrongful act or omission by consultant including any such liability imposed by reason of any infringement or alleged infringement of rights or any person or persons, firm or corporation, in consequence of the use in the performance of Consultant of the work hereunder of any article or material supplied installed pursuant to this agreement. In the event claims losses, damages, or expenses are caused by joint or concurrent negligence of the VCTC and consultant, they shall be borne by each party in proportion to its negligence.

NON-DISCRIMINATION

Consultant shall not discriminate in the hiring of employees or in the employment of subcontractors on the basis of sex, race, religion, age, natural origin, handicap, or any other basis prohibited by law. Consultant shall comply with the provisions of the Fair Employment and Housing Act and applicable laws promulgated thereunder.

RECORDS AND AUDITS

The consultant accounting systems shall conform to generally accepted accounting principles (GAAP), enable the determination of costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices. All accounting records and other supporting papers, except for the audit working papers, of consultant connected with performance under this Agreement shall be maintained for a minimum of three years from the date of final payment to consultant and shall be held open to inspection and audit by representatives of the State Auditor General.

PRELIMINARY SCHEDULE

The preliminary schedule and milestones are listed below.

<u>DATE</u>	<u>MILESTONES</u>
-------------	-------------------

04/03/15	VCTC approves RFP; RFP is released
06/01/15	Proposals due in response to this RFP
06/15/15	Consultant interviews are held (if needed)
06/22/15	Consultant is selected
07/10/15	VCTC Board awards contract; Project begins

NOTE: Bicycle groups will be involved in the project beginning in July 2015 and ending with completion of the project in April 2016.

01/04/16	Consultant delivers Draft Program report
Jan/2016	Draft reviewed by TTAC, Bike Groups & general public
Feb/2016	Draft reviewed by city councils, County BOS & VCTC; approved by TTAC

Mar/2016 Consultant delivers Final Program report

04/01/16 VCTC Board approves Program; Project ends

COST PROPOSAL

Proposals shall include a lump sum cost for the work described in this proposal. The cost proposal should include payment based on the scope of work contained in this RFP.

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PROPOSAL REQUIREMENTS

Proposers shall submit one (1) original with wet signature, 6 copies of the proposal, and an electronic copy no later than **4:00 P.M. Pacific Time Monday, June 1, 2015. Proposals delivered after the stated time will not be considered. Electronic submissions alone will not be accepted.**

Proposals shall be delivered to the VCTC offices at:

Ventura County Transportation Commission 950
County Square Drive, Suite 207
Ventura, CA 93003

The following information, at a minimum, must be provided by consultants responding to this Request for Proposal:

- Proposals should include bicycle wayfinding projects completed by the company similar to that described in this RFP with contact information for references. At a minimum, proposals should include the company or agency name, project location, services provided including deliverables, examples of design material and product, dates services were provided, and contact person(s) name, telephone number and address.
- Names and qualifications of the consultant's principals and other key personnel to be assigned to this project including project organization chart.
- A proposed scope of work including a discussion of the tasks and activities to be accomplished.
- Names and qualifications of proposed subcontractors and their personnel to be assigned to this project.
- Cost proposal.

CONTRACT CERTIFICATION

The Workers Contract Certification found in Attachment 1 is a part of this RFP and will become a part of the contract for consultant services.

CONSULTANT SELECTION PROCESS AND CRITERIA

VCTC reserves the right to reject any and all proposals, whole or in part, submitted and to request additional information. A consultant selection committee comprised of VCTC and local agency staff will evaluate each proposal according to the criteria listed below. The selection committee will also evaluate reference checks and other information gathered independently. Contract negotiations will be initiated with the consultant that the VCTC deems best qualified to complete the scope of work. If agreement cannot be reached, then negotiations will proceed to the next most qualified consultant.

Criteria	Weight
Professional qualifications: experience with similar projects	30%
Understanding of the work; quality and responsiveness of the proposal	25%
Proposed approach for completing work	20%
References and work sample	15%
Cost	10%
Total	100%

VCTC CONTACT INFORMATION

All questions, comments and proposals should be directed to:

Steve DeGeorge, Director of Technology
Ventura County Transportation Commission
950 County Square Drive, Suite 207
Ventura, CA 93003

Phone: (805) 642-1591 (ext. 103)
Email: sdegeorge@goventura.org

ATTACHMENT 1

WORKER'S COMPENSATION INSURANCE CERTIFICATE

As required by Section 1860 of the California Labor Code (Chapter 1000, Statutes of 1965), the Consultant shall secure the payment of Workmen's Compensation to its employees in accordance with the provisions of Section 3700 of the California Labor Code and shall furnish VCTC with a certificate evidencing such coverage together with verification thereof as follows:

"I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for Workmen's Compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract."

SIGNED: _____
(Consultant)

DATE: _____

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Item #8G

April 3, 2015

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: VICTOR KAMHI, VCTC BUS SERVICES DIRECTOR
AARON BONFILIO, PROGRAM MANAGER**

SUBJECT: VALLEY EXPRESS POST-LAUNCH POLICY CONSIDERATIONS

RECOMMENDATION:

- Approve modification of Valley Express Policies, contingent on the concurrent recommendation by the Heritage Valley Policy Advisory Committee (Attachment A).

BACKGROUND

Following the launch of the Valley Express service a number of policy questions have been raised, including comments from riders, feedback from members of Heritage Valley Technical and Policy Advisory Committees, questions from social service agencies, and requests for clarification from contract operations staff. Of those issues raised, staff has identified the significant items for the HVPAC's review and provided staff's recommendations on the following attachment. The HVPAC will hear the recommendations at a special HVPAC meeting on March 26, 2015.

Contingent on the concurrent recommendation by the HVPAC, these items are presented to the Commission. Immediately following the HVPAC meeting staff will provide the Commission with any updates made by the PAC to the recommended action.

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ATTACHMENT A

VALLEY EXPRESS POST-LAUNCH POLICY CONSIDERATIONS

The following questions were raised regarding Valley Express policies that were not previously considered and/or fully clarified prior to service launch. None of them are policy changes, but clarifications of details that have come up in the first few weeks.

- 1) *Can ADA Paratransit trips (i.e. trips scheduled by ADA eligible riders at least one day in advance) be paid for using the Dial-a-Ride Monthly Pass?*

Background: Previously these individuals could purchase the monthly pass and could use it for payment. For example, the ARC of Ventura-Santa Paula currently provides passes to its patrons. The riders then schedule subscription service to-and-from the ARC program. These individuals are eligible for paratransit, and are interested in continuing the practice of paying for trips using the monthly pass. Because they have a verified disability they are able to buy the reduced price dial-a-ride pass, however the policy is silent on whether the ADA Dial-a-Ride accepts it. Alternatively, if not accepted, patrons would be required to pay cash. The passenger cost for one month of trips, estimated at two trips per day, would jump from \$25 per month for the pass, to \$88 dollars per month cash. The impact would be to paratransit users only, such as those who may attend adult-day health care programs or senior centers. Conversely the non-disabled Dial-a-Ride pass-holder, is restricted to taking longer trips (i.e. to or from outside the fixed route area) and pays \$25 or \$30. This service is more expensive, and, arguably, cost-prohibitive.

Recommendation: Accept the Dial-a-Ride Monthly Passes as payment for trips reserved by ADA eligible riders. While a general increase in paratransit-based trips may occur under the new restricted Dial-a-Ride service model, based on demand the current number of projected Monthly Pass trips on paratransit is minimal (15-30 per day). Staff will continue to monitor Dial-a-ride pass utilization on trips scheduled under the paratransit category and report this information as part of the regular farebox recovery reporting.

- 2) *A) Can ADA Paratransit trips be paid for using Tokens?*
B) Can general public Dial-a-Ride trips be paid for using Tokens?

Background: The VCTC-issued token is purchased by social service agencies, such as Ventura County Medical Center, and the HSA Job Career Centers. Around the County, transit operators, including other Dial-a-Ride operators accept the token. Tokens may only be purchased by approved social service organizations. Token use in the Heritage Valley prior to the service change ranged between 450 and 550 tokens per month.

Recommendation: Continue the historical practice of accepting tokens as full fare payment for all trips on the Dial-a-Ride services, as the tokens are only available for purchase by non-profit organizations or other governmental agencies that provide the token to low income or at-risk populations. Beginning in May VCTC will phase out the token available for social service agencies and replace them with printed one-ride tickets, which are

ATTACHMENT A - Valley Express Policy Considerations (Cont'd)

recommended to be accepted by the dial-a-ride services, in addition to the previously approved fixed route services.

3) *Can the Dial-a-Ride monthly passes be used as payment to board the Fixed Route bus system?*

Background: Following the start of service multiple dial-a-ride pass-holders asked if their pass, which comes at a higher price than the fixed route pass, would be accepted as payment on the new fixed route system. While there is a free transfer onto the fixed route from a Dial-a-Ride vehicle, this requires the patron to first take a Dial-a-Ride trip. Change to allow patrons the ability to use both systems with the higher priced pass, would incentivize and encourage use of the fixed route system by dial-a-ride pass-holders, which could shift future Dial-a-Ride demand, as it builds greater utilization and reliance for the fixed route system. In addition, if Item #1 listed above is approved, this policy could potentially reduce ADA-paratransit trips as well.

Recommendation: While a great deal of thought was put into the pass structure including creation of the price differential to encourage fixed route utilization, pass sales of the Dial-a-Ride pass continue despite the service area restrictions. To encourage greater participation by riders of the fixed route system, staff recommends the TAC consider this modification to allow the Dial-a-Ride monthly pass as fare payment on the fixed route. Staff will track the pass utilization and bring back the policies regarding pass pricing at future TAC and PAC meetings. Until the SMARTCARD is taken out of service, we will have to put a sticker on each card identifying that it is valid for the month. After July, there will only be a printed monthly flash pass for the Valley Express.



Item # 8H

April 3, 2015

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: STEVE DEGEORGE, PLANNING & TECHNOLOGY DIRECTOR

**SUBJECT: VCTC RESOLUTION IN SUPPORT OF A WILDLIFE CORRIDOR ACROSS U.S. 101
AT LIBERTY CANYON**

RECOMMENDATION:

- Adopt resolution 2015-06 supporting a wildlife corridor across U.S. 101 at Liberty Canyon.

BACKGROUND:

The Ventura County Transportation Commission's (VCTC's) mission to improve mobility for people and goods in Ventura County supports the construction and improvement of freeways, and other roadways throughout the County. While important to mobility and the economy of the County, the roadway network also serves to create barriers to the natural migration paths of native animals and plants. When natural migration paths are severed, wildlife experts tell us that island ecosystems with limited genetic diversity are created which threaten the long term viability of the species contained within them.

From time to time Caltrans provides the Commission with reports of animal strikes occurring on the County's highways. As recently as November 2013, a mountain lion was struck and killed on U.S. 101 attempting to cross the freeway in the Liberty Canyon area of Agoura Hills and that death has served as a focal point in the discussion of the need for safe wildlife migration paths across the County's highways.

DISCUSSION:

In the past year many jurisdictions, agencies and advocacy groups including Caltrans, the County of Ventura, the cities of Thousand Oaks, Malibu, Agoura Hills and Calabasas have lent their support to a coalition of wildlife crossing proponents led by the National Park Service, the Santa Monica Mountain Conservancy and the Mountain Recreation and Conservation Authority to obtain a \$650,000 grant from the Wildlife Conservation Board to begin work on improvements for the wildlife corridor in the Liberty Canyon area. Ongoing efforts are underway to raise funding for design, environmental compliance, engineering and construction of the actual wildlife crossing.

In pursuing improvements to mobility within Ventura County, VCTC has historically worked hard to protect the County's heritage in urban, rural and natural environments. In the past, the Commission has supported the purchase of historic buildings, rail lines, and open space in order to preserve Ventura County's unique character and way of life. Staff is therefore recommending that the Commission adopt Resolution 2015-06, in Attachment A, supporting a wildlife crossing in the Liberty Canyon area of Agoura Hills.

RESOLUTION NUMBER 2015-06

**A RESOLUTION OF THE VENTURA COUNTY TRANSPORTATION COMMISSION SUPPORTING
CONSTRUCTION OF A WILDLIFE CROSSING ACROSS U.S. AT 101 LIBERTY CANYON ROAD.**

WHEREAS, The Ventura County Transportation Commission is responsible for improvements to mobility in Ventura County through the funding and construction of highways: and

WHEREAS, The Ventura County Transportation Commission finds it important to preserve the cultural and natural environments, including the habitat of the Santa Monica Mountains, in Ventura County; and

WHEREAS, The Ventura County Transportation Commission recognizes the impacts of highways in severing ecosystems and natural migration paths for flora and fauna: and

WHEREAS, The Ventura County Transportation Commission recognizes the coalition of agencies and jurisdictions working toward the construction of an animal crossing of U.S. 101 at Liberty Canyon in Agoura Hills;

NOW, THEREFORE, THE VENTURA COUNTY TRANSPORTATION COMMISSION DOES HEREBY RESOLVE, that it supports the construction of a wildlife corridor across U.S. 101 at Liberty Canyon Road in Agoura Hills and that such a corridor will benefit the natural environment in Ventura County and lessen the impacts associated with highway network

PASSED AND ADOPTED on this 3rd day of April, 2015 by action of VCTC.

PETER FOY, CHAIR

APPROVED AS TO FORM:

STEVEN MATTAS, GENERAL COUNSEL

ATTEST:

DONNA COLE, CLERK OF THE BOARD



Item # 9

April 3, 2015

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: STEVE DEGEORGE, PLANNING & TECHNOLOGY DIRECTOR

SUBJECT: SANTA PAULA BRANCH LINE (SPBL) RECREATIONAL TRAIL SURVEY

RECOMMENDATION:

- Receive and File

BACKGROUND:

The Ventura County Transportation Commission (VCTC) purchased the Santa Paula Branch Line (SPBL) in 1995 for \$8.5 million comprised of \$4 million in federal Surface Transportation Program (STP) funds, \$3.5 million in federal Transportation Enhancement Activities (TEA) funds and \$1 million in local match provided by Fillmore, San Buenaventura, Santa Paula, and the County of Ventura. The SPBL right-of-way extends from Montalvo in the west to the Los Angeles County line in the east and while the right-of-way is generally 100 feet wide, it varies in places from 30' to 250' wide.

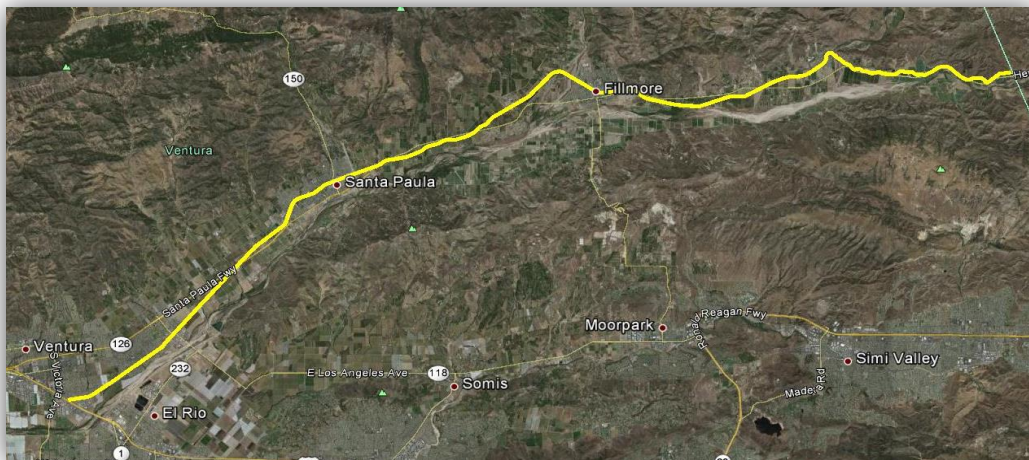


Figure 1 Santa Paula Branch Line

The purpose of purchasing the SPBL, as described in the TEA application for funding, was for use as a multimodal corridor including bicycle trails, hiking trails, freight, recreational parks, pipelines and utilities, and possible commuter rail service. To that end, a great deal of work has already been undertaken to plan for the trail element of the SPBL.

In January of 2000 the VCTC adopted the Santa Paula Branch Line Recreational Trail Master Plan and certified the associated Santa Paula Branch Line Recreational Trail Master Plan Program Environmental Impact Report (PEIR). The SPBL Recreational Trail Master Plan provided design guidelines, preliminary engineering and laid out a preferred alignment for the trail which transverses the cities of Ventura, Santa Paula, Fillmore, the community of Piru and the agricultural areas of the unincorporated County. Although the Master Plan divided the trail into seventeen segments, there was no specific phasing and it was designed so that the segments could be built as stand alone pieces or in groupings. The Master Plan further suggests that each jurisdiction that the trail passed through could be responsible for the construction and maintenance of the trail to their own standards.

To date only three segments of the Trail have been constructed. Those segments built are in the more urban areas including Santa Paula, Fillmore and the community of Piru. Construction in the agricultural areas of the unincorporated County was prohibited by an agreement between VCTC, the County and property owners adjacent to the SPBL.

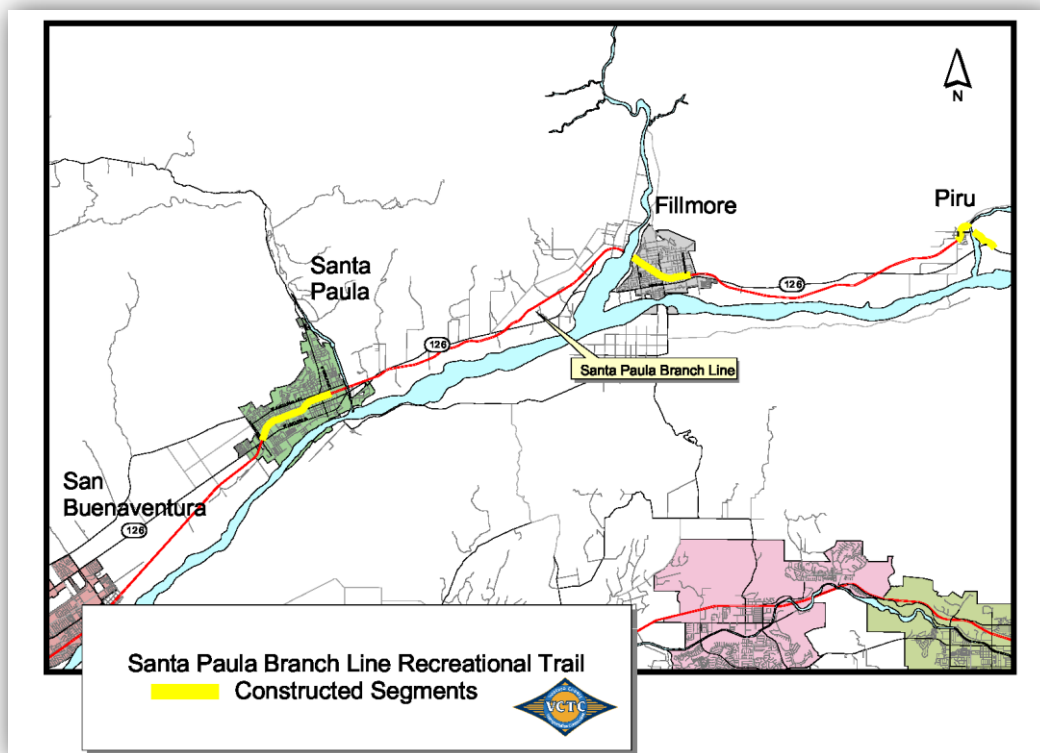


Figure 2 Constructed Segments

The SPBL Recreational Trail planning effort placed a great deal of emphasis on ensuring the compatibility of the Trail with adjacent agricultural land uses but had difficulty in gaining consensus among the agricultural land owners. As a compromise between property owners and the SPBL Recreational Trail proponents, an agreement was reached and signed by the parties in February of 2000. The Agreement precludes the construction of a trail on the portion of the SPBL which lies in the unincorporated area of

Ventura County between Franklin Barranca and Main Street in the community of Piru for fifteen years and expired in February of 2015.

DISCUSSION:

Last year, in order to explore the viability of the SPBL Recreational Trail in the agricultural areas, the Commission authorized staff to undertake a small study surveying working recreational trails in agricultural areas. Staff conducted a Request for Proposal (RFP) process resulting in the selection of Alta Planning + Design to perform the survey. Alta working with staff, selected trails from across the country that passed through similar crop types and/or had similar conditions to those found along the SPBL. Alta Planning + Design working with the Rails to Trails Conservancy, sought input from trail operators and property owners adjacent to the trails and compiled the findings into the Santa Paula Branch Line Recreational Trail Compatibility Survey provided under separate cover.

Mr. James Powel, Senior Designer, with Alta Planning + Design will present the Survey findings to the Commission at the April 2015 meeting.

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Item #10

April 3, 2015

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: DARREN M. KETTLE, EXECUTIVE DIRECTOR

SUBJECT: ADD CLASSIFICATIONS OF SENIOR ACCOUNTANT/ANALYST; and PROGRAM MANAGER - CAPITAL PROJECTS; AND SET COMPENSATION LEVELS FOR EACH CLASSIFICATION

RECOMMENDATION:

- Add classifications of Senior Accountant/Analyst and Program Manager - Capital Projects and set compensation levels for those newly created classifications.

BACKGROUND:

Staffing: In December 2009 the Commission adopted classification descriptions for all classifications in which Commission employees served. Job responsibilities were clearly delineated and the knowledge, skills, and abilities required to perform those jobs were identified. The Commission has made minimal changes to the staffing allocations and classifications since 2009, most recently adding classifications of Administrative Assistant, Transportation Planner I/II and Program Manager-Contracts I/II in 2013.

Senior Accountant/Analyst: With the reorganization of the Program Manager-Rail position, the TDA claims administration and financial audits and compliance portion of the TDA management was transferred to the Finance Department. In addition to these new tasks, the Finance Department must also meet the increasing reporting and compliance requirements from GASB and State and Federal governments. The addition of a Senior Accountant/Analyst will provide the Finance Department with the much needed support for the additional work and new regulations. Although VCTC staff has implemented strong internal controls to safe guard the Commission's assets, the addition of another accounting position would also allow for additional segregation of duties to allow for additional internal controls.

Program Manager-Capital Projects: VCTC staff will be presenting for Commission approval a recommendation for expediting the preliminary work for the 118 and 101 freeway improvement projects. For both projects, the State has programmed STIP funds to start design and environmental analysis in FY 2017/18. Contingent on the decision of the Commission to expedite these projects, an additional staff position, a Program Manager-Capital Projects, will be required to provide project management.

Analysis: VCTC staff has analyzed the most efficient and effective staffing levels for recommendation and approval.

The Senior Accountant/Analyst will work directly for the Finance Director and support all areas of finance including accounts receivables, accounts payables, payroll, budgeting, financial reporting, grants and especially TDA administration.

The Program Manager-Capital Projects will work for the Programming Director on the 118 and 101 freeway improvement projects.

The staffing proposal provides for flexible staffing which allows the Executive Director to make an appointment at any point of the specific position's salary range. A flexibly staffed classification pattern allows qualifying individuals to promote upwards when the required level of knowledge, skills, and abilities has been reached. By filling at the lower classification level or a lower step of the salary range, VCTC can control personnel costs and still provide employees upward career mobility and staff development.

Proposed Salary Range:

Level	Title	Annual Range Bottom	Annual Range Top	Hourly Range Bottom	Hourly Range Top
Analyst	Senior Accountant/Analyst	\$50,100	\$83,945	\$24.09	\$40.36
Manager	Program Manager – Capital Projects	\$70,132	\$104,069	\$33.72	\$50.03

Costs:

Item	Employee Hourly Cost	Annual Salary and Benefits Cost	Status
Senior Accountant/Analyst Top Hourly Cost	Up to \$40.36	Up to \$23.88	40 hours per week
Program Manager – Capital Projects Top Salary Cost	Up to \$50.03	Up to \$26.25	40 hours per week

Both positions have been budgeted for the full FY 2015/16. It is expected that the positions will not start at the top step of the salary ranges, which means that actual costs will be less than presented above. The actual full costs will be unknown until appointments are made, but the amount will be no more than the annual \$294,530 for total salary and benefits.

Funding for the Program Manager - Capital Projects position is from STP project grants and PPM funds. Funding for the Senior Accountant/Analyst position is from indirect and LTF funds.

Proposal: It is recommended to add the new classifications of Senior Accountant/Analyst and Program Manager - Capital Projects.

ACTION/DISCUSSION:

The Administrative Committee has met and concurs with staff recommendation to add the new classifications of Senior Accountant/Analyst and Program Manager-Capital Projects. The recommended compensation levels for the new classifications are set at hourly ranges of Senior Accountant/Analyst \$24.09 - \$40.36; and Program Manager-Capital Projects \$33.72 - \$50.03.

Attachment: 2 job descriptions

Ventura County Transportation Commission

Job Description

Senior Accountant/Analyst

Definition

Under general direction, plans and participates in a wide variety of advanced level professional, analytical, and coordination duties for Finance and Accounting; assists with record keeping, reporting, and financial analysis processes, procedures, budgeting, and programs; and provides highly responsible and complex professional staff assistance to the Department Director of Finance; and does related work as required.

Distinguishing Characteristics

This single-position classification reports to a department head and is characterized by its independent responsibility for managing a wide variety of projects. It has primary responsibility for Agency-related accounting and finance functions. It is distinguished from the next higher level position of department head, in that the later has greater responsibility for a wider variety of programs and functions.

Typical and Important Duties

Duties may include, but are not limited to, the following:

- Monitors, prepares, maintains, and submits, as appropriate, a variety of forms, claims, and reports to local, state, and federal agencies.
- Provides responsible technical and administrative support for accounting-related issues.
- Perform advanced professional level staff assistance and coordination in support of fiscal management, record keeping, reporting, and financial analysis.
- Participate in the development and implementation of new or revised Finance and Accounting programs, systems, procedures, and methods of operation.
- Compile and analyze data and make recommendations regarding Finance and Accounting; assist in the development and implementation of Finance and Accounting policies and procedures.
- Participate in the preparation and administration of the budget; provide fiscal forecasting and analysis; maintain and monitor appropriate budgeting and expenditure controls.
- Research, collect, compile, and analyze information from various sources on a variety of Finance and Accounting systems and procedures; prepare comprehensive technical records, reports, and summaries to present and interpret data, identify alternatives, and make and justify recommendations.
- Review and/or reconcile a variety of ledgers and accounts; examine accounting transactions to ensure accuracy; correct financial records as necessary; prepare adjusting entries.
- Review various accounts, verifying availability of funds and classification of expenditures; research and analyze transactions to resolve problems; prepare requisitions for funds to grantors and disbursements to contractors.
- Review payroll; assist with the preparation and process bi-weekly payroll; tax information for deposits; maintain and report CalPERS retirement contributions; prepare quarterly and year-end tax reports and W-2s.
- Assist with cash deposits for accounts and accounts receivable process on accounting system.

- Assist with accounting reports; collect and post financial, budget, and product information; prepare management reports.
- Assist with the preparation of records for audits and year end reporting.
- Analyze, interpret, and apply existing and new legislation and regulations, including administrative guidelines, resolutions, and policies pertaining to revenues; provide related detailed analysis, reports, statements, and other written documents.
- Assist with maintaining adequate internal controls over revenues and handle daily cash management; verify accuracy and completeness of funds collected.
- Coordinate grant administration reporting including Federal Transit Administration (FTA).
- Audit account numbers and balance available for financial demands and purchase orders; review account balances and entries for errors.
- Conduct surveys and perform research and statistical analyses on Finance and Accounting problems or issues.
- Assist with the disbursement and accounts payable process including yearend 1099 reporting.
- Assist with claim review and year end reporting and financial audits of the Transportation Development Act (TDA).
- Assist with fixed asset monitoring and reporting.
- Represents the Agency in meetings with other governmental agencies; makes presentations before commissions, boards, professional organizations, business organizations, community organizations, and the general public.
- Prepares comprehensive reports, correspondence and presentations.
- Performs related duties and responsibilities as assigned.

Experience and Training

Any combination of experience and training that would provide the required knowledge, skills, and abilities would be qualifying. A typical way to obtain the knowledge, skills, and abilities would be:

Experience: Five years of progressively more responsible professional-level finance and accounting experience. Knowledge of TDA audits is desirable.

Training: A bachelor's degree from an accredited college with major coursework in accounting, business administration, public administration, or a related field.

Job-Related Qualifications

Knowledge of:

- Principles and procedures of financial, statistical, and administrative record keeping.
- Public agency finance, accounting, budgeting, and auditing procedures.
- Financial research and report preparation methods and techniques.
- Advanced principles and practices of finance, accounting, and auditing.
- Advanced principles and practices of budget development, preparation, and expenditure control.
- Organizational and management practices as applied to the analysis, evaluation, development, and implementation of finance and accounting programs, policies, and procedures.
- Pertinent federal, state, and local laws, codes, and regulations.
- Research and reporting methods, techniques, and procedures.
- Sources of information related to a broad range of accounting programs, services, and functions.

- Report preparation and record keeping techniques.
- Modern administrative and management principles, procedures, and techniques.
- Business letter writing and the standard format for reports and correspondence.
- Organization and function of local, state, and federal public agencies as they relate to transportation issues.
- Financial, analytical, statistical, and mathematical methods and procedures.
- Records management principles and practices.

Ability to:

- Maintain a clear, accurate full-charge finance and accounting system, including the use of computerized systems and spreadsheets.
- Apply generally accepted finance and accounting principles and procedures to a variety of finance and accounting transactions and problems.
- Analyze problems, identify alternative solutions, project consequences of proposed actions, and implement recommendations in support of finance and accounting goals.
- Research, analyze, and evaluate finance and accounting programs, policies, and procedures.
- Prepare clear and concise correspondence and reports on a variety of finance and accounting issues.
- Independently perform the full range of responsible and difficult analytical and administrative work involving the use of independent judgment and personal initiative.
- Effectively administer a variety of finance and accounting programs, functions, and administrative activities.
- Conduct research on a wide variety of finance and accounting topics.
- Interpret and apply finance and accounting policies and procedures.
- Ensure project compliance with appropriate federal, state, and local rules, laws, and regulations.
- Analyze difficult problems, develop a positive course of action, and follow through on its implementation.
- Demonstrate sound professional judgment, reason logically, and think creatively.
- Communicate effectively in writing, orally, and with others to assimilate, understand, and convey information, in a manner consistent with job functions.
- Prepare detailed reports, plans, and specifications, policies, procedures, correspondence, and complete reliable studies and research as needed.
- Make effective public presentations.
- Establish and maintain effective relationships with those contacted in the course of the work.
- Represent the Agency effectively in contacts with elected and other officials, representatives of other agencies, and the public, occasionally in situations where relations may be difficult or strained.
- Organize own work, set priorities, meet critical deadlines, and follow-up on assignments with a minimum of direction.
- Work in a safe manner modeling correct Agency safety practices and procedures.
- Maintain confidentiality regarding sensitive information.
- Use initiative, discretion, and sound independent judgment within policy and procedural guidelines.

Skill in:

- Using a personal computer and associated applications.

Licenses and Certificates

All licenses and certificates must be maintained as a condition of employment.

- A valid appropriate California driver's license may be required.
- Maintain a satisfactory driving record.

Special Requirements

Essential duties require the following physical skills, abilities, and work environment:

Physical Skills: Able to use standard office equipment, including a computer and other electronic equipment; arm, hand, finger, wrist, leg, or foot motion repetitively; firmly or lightly grasp items as needed; sit, stand, walk, kneel, and maintain sustained posture in a seated or standing position for prolonged periods of time; vision to read printed materials, a computer screen, and to work in a typical office environment; hearing and speech to communicate in person, over the telephone, and to make public presentations; lift and carry 30 pound boxes, files, and materials.

Ability to: Travel to different sites and locations; drive safely to different sites and locations; occasionally works protracted and irregular hours and evening meetings or work unusual hours for meeting attendance or participation in specific projects or programs.

Work Environment: Mobility to work in a typical office setting and to periodically work in a field setting.

Approved:

Revision Dates:

Former Titles:

Status: Non-Exempt/Administrative

ADA Review:

DOT: No

Physical: No

Ventura County Transportation Commission Job Description

Program Manager – Capital Projects

Definition

Under general supervision, plans, organizes, coordinates, and manages the roadway and highway improvement projects; manages the design and construction of Agency projects; performs a variety of transportation-related engineering tasks, which may include supervision of professional staff and engineering consultants; and does related work as required.

Distinguishing Characteristics

This single-position classification reports to a department head and is characterized by its independent responsibility for managing a wide variety of projects. It has primary responsibility for Agency-related capital improvement engineering functions. This position exercises independent judgment and discretion in formulating, managing, and controlling engineering and project management functions and in strategic planning. It is distinguished from the next higher level position of department head, in that the latter has greater responsibility for a wider variety of programs and functions.

Typical and Important Duties

Duties may include, but are not limited to, the following:

- Plans, prioritizes, directs, and supervises the work of staff, project teams or consultants engaged in a variety of transportation projects from early planning stages through final construction and acceptance; performs administrative work in the preparation and control of project budgets and funding recommendations; administers project development contracts including approving contractor and consultant pay requests;
- Monitors and tracks financial aspects of transportation projects, including administration of state and federal grants; prepares reports and makes recommendations to agency management; assists in the acquisition of land, easements, and rights of way; meets with developers, contractors, consultants, groups and citizens; recommends and assists management in the implementation of goals, objectives, policies and procedures; establishes schedules and methods for completing assignments; identifies resource needs and reviews needs with management staff; allocates resources accordingly.
- Provides responsible technical and administrative support for transportation-related engineering issues.
- Monitors, prepares, maintains, and submits, as appropriate, a variety of forms, claims, and reports to local, state, and federal agencies.
- Represents the Agency in meetings with other governmental agencies; makes presentations before commissions, boards, professional organizations, business organizations, community organizations, and the general public.
- Prepares comprehensive reports, correspondence and presentations.
- Performs related duties and responsibilities as assigned.

Experience and Training

Any combination of experience and training that would provide the required knowledge, skills, and abilities would be qualifying. A typical way to obtain the knowledge, skills, and abilities would be:

Experience: Five years of progressively more responsible professional-level transportation-related engineering experience, including at least one year in a supervisory capacity.

Training: A bachelor's degree from an accredited college with major coursework in civil engineering, business administration, public administration, social services, political science, public policy, environmental studies, transportation or urban planning, or a related field. Possession of a valid Certificate of Registration as a Professional Traffic Engineer or Professional Civil Engineer or Engineer in Training in the State of California is preferred.

Job-Related Qualifications

Knowledge of:

- Standard design and construction standards and practices for highway, rail, and building projects.
- Standard construction specifications for public works projects.
- Civil engineering design practices.
- Public works construction practices.
- Applicable local, state, and federal laws and regulations, including the public contract code and application of the California Public Utilities Commission regulations.
- Report preparation and record keeping techniques.
- Governmental procurement and contracts management requirements.
- Modern administrative and management principles, procedures, and techniques.
- Business letter writing and the standard format for reports and correspondence.
- Accounting principles and practices.
- Budget preparation and management.
- Organization and function of local, state, and federal public agencies as they relate to transportation issues.
- Meeting noticing and agenda setting requirements for public meetings.
- Financial, analytical, statistical, and mathematical methods and procedures.
- Records management principles and practices.
- Public record acts and Roberts Rules of Order for legislative bodies.

Ability to:

- Manage large and complex engineering projects.
- Plan, organize, and supervise the work of staff and consultants.
- Ensure project compliance with appropriate federal, state, and local rules, laws, and regulations.
- Analyze difficult problems, develop a positive course of action, and follow through on its implementation.
- Demonstrate sound professional judgment, reason logically, and think creatively.
- Communicate effectively in writing, orally, and with others to assimilate, understand, and convey information, in a manner consistent with job functions.
- Prepare detailed reports, plans, and specifications, policies, procedures, correspondence, and complete reliable studies and research as needed.
- Make effective public presentations.
- Establish and maintain effective relationships with those contacted in the course of the work.
- Represent the Agency effectively in contacts with elected and other officials, representatives of other agencies, and the public, occasionally in situations where relations may be difficult or strained.
- Organize own work, set priorities, meet critical deadlines, and follow-up on assignments with a minimum of direction.
- Work in a safe manner modeling correct Agency safety practices and procedures.

- Maintain confidentiality regarding sensitive information.
- Use initiative, discretion, and sound independent judgment within policy and procedural guidelines.

Skill in:

- Using a personal computer and associated applications, such as transportation-related and engineering applications.

Licenses and Certificates

All licenses and certificates must be maintained as a condition of employment.

- A valid appropriate California driver's license may be required.
- Maintain a satisfactory driving record.

Special Requirements

Essential duties require the following physical skills, abilities, and work environment:

Physical Skills: Able to use standard office equipment, including a computer and other electronic equipment; arm, hand, finger, wrist, leg, or foot motion repetitively; firmly or lightly grasp items as needed; sit, stand, walk, kneel, and maintain sustained posture in a seated or standing position for prolonged periods of time; vision to read printed materials, a computer screen, and to work in a typical office environment; hearing and speech to communicate in person, over the telephone, and to make public presentations; lift and carry 30 pound boxes, files, and materials.

Ability to: Travel to different sites and locations; drive safely to different sites and locations; occasionally works protracted and irregular hours and evening meetings or work unusual hours for meeting attendance or participation in specific projects or programs.

Work Environment: Mobility to work in a typical office setting and to periodically work in a field setting.

Approved:

Revision Dates:

Former Titles:

Status: Exempt/Mid-management

ADA Review:

DOT: No

Physical: No

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Item #11

April 3, 2015

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: DARREN KETTLE, EXECUTIVE DIRECTOR
SALLY DEGEORGE, FINANCE DIRECTOR**

SUBJECT: FISCAL YEAR 2015/2016 DRAFT BUDGET – PUBLIC HEARING

RECOMMENDATION:

- Receive the Fiscal Year 2015/2016 Draft Budget
- Conduct Public Hearing to receive testimony on the Draft Fiscal Year 2015/2016 Budget.

DISCUSSION

The Draft Fiscal Year 2015/2016 Final Budget is divided into two main sections: the Main Budget and the Program Task Budgets. The Main Budget contains the program overviews and projections and is intended to provide a general understanding of VCTC's budgeted activities and programs for the coming fiscal year. The Program Task Budgets contain task level detail of the projects including objectives and accomplishments. This task driven budget is designed to provide fiscal transparency and clarity of VCTC's programs and services to the region.

The Draft Budget is in many ways as a "continuation" budget for the majority of VCTC programs and projects with one major exception. The Draft Budget contains a budget task that was added mid-year in Fiscal Year 2014/2015: VCTC Office Building Purchase and Reconstruction. It is anticipated that renovations of the new building will begin in the new fiscal year and provide a new "home" for VCTC.

At \$62,136,426, the Draft Fiscal Year 2015/2016 Budget is \$10,731,422 or -14.7% lower than Fiscal Year 2014/2015. This budget, while balanced, invests little in the future due to funding restrictions. The proposed budget contains six programs consisting of the Transit and Transportation program at \$16,149,312, the Highway program at \$1,159,000, the Rail program at \$6,467,900, the Commuter Assistance program at \$468,700, the Planning and Programming program at \$33,398,414 and the General Government program at \$4,493,100. The Fiscal Year 2015/2016 Draft budget is a balanced budget with an estimated ending fund balance of \$11,223,550.

Personnel costs for Fiscal Year 2015/2016 are budgeted at \$3,114,500 or 5% of the budget, which is a increase of \$451,000 from the previous fiscal year. The increase is largely due to the costs associated

with the two proposed positions and the two vacant positions which are budgeted at the highest range until actual salaries and benefits are known. The wage cost of \$2,136,800 includes a \$57,000 pool for merit increases for employees not at the top of their range. Further information about personnel can be found within the Personnel Section of the budget.

Below are some of the major changes in the Draft Fiscal Year 2015/2016 budget as compared to last fiscal year. Additional details of these major changes, as well as smaller changes to all budgets, can be found within the individual budget tasks. The major changes that occurred from last fiscal year and/or the Draft Budget include:

- The Fare Collection and APC Systems budget decreased \$113,853 as most of the equipment needs are expected to be purchased in Fiscal Year 2014/2015 in conjunction with the termination of the GoVentura Smartcard program and, thus, the removal of the GoVentura Smartcard task budget.
- The Nextbus budget decreased \$151,206 as the transition to the new wireless technology project is expected to be completed in Fiscal Year 2014/2015.
- The Senior and Disabled Transportation Services budget increased \$75,275 largely for additional consultant costs associated with ADA certification.
- The Transit Grant Administration budget decreased by \$2,114,031 as pass-through projects were completed, but it is expected to increase with the final budget when new pass-through funds to local agencies is included.
- The Valley Express budget decreased \$1,891,890 as the purchase of the new fleet was completed in Fiscal Year 2014/2015.
- The VCTC Intercity Service budget decreased \$9,177,500 as the purchase of the new fleet was completed in Fiscal Year 2014/2015.
- The Call Box System budget increased by \$560,400 for the planned upgrades to the 3G network.
- The Congestion Management Program budget has been combined with the Regional Transportation Planning budget.
- The LOSSAN budget decreased \$28,400 as membership dues/temporary administration fees are no longer needed with the transition completed in Fiscal Year 2014/2015 and the operational costs will now be covered with the State's intercity rail budget.
- The Metrolink Commuter Rail budget increased by \$1,629,878 for additional Proposition 1B pass-through projects and a reduction in revenues due to the reconciliation of prior year forecasts.
- The Santa Paula Branch Line budget increased by \$140,444 for additional consultant services associated with the required bridge inspections and the load capacity calculations.
- The Rideshare Program budget decreased by \$24,100 largely due to lower database costs.
- The Airport Land Use Commission budget has decreased by \$89,167 as the JLUS study nears completion.
- The Regional Transit Planning budget increased by \$94,952 largely due reallocating transit staffing needs.
- The Regional Transportation Planning budget increased by \$328,500 for the updates of the Congestion Management Plan and the traffic model.
- The Transportation Development Act budget decreased \$2,446,803 as Fiscal Year 2014/2015 had a one-time increase in revenues due to the mid-year revision.
- The Transportation Programming and Monitoring budget increased by \$538,980 for the addition of a full-time staff position and additional consultant time for the advancement of the 101 and 118 routes.
- The Community Outreach and Marketing budget decreased by \$302,200 as the branding and launch of the two new fleets were completed in Fiscal Year 2014/2015.
- The VCTC Office Building budget increased by \$2,574,999 as the renovation of the new office building begins.

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The Draft Budget is a “work-in-progress” for VCTC as tasks are fine-tuned. Staff will take provided input from the Commission as well as new information becomes available from local partners such as Metrolink and funding information from the State and Federal governments.

As required by the VCTC Administrative Code, the proposed Draft Fiscal Year 2015/2016 budget was submitted to the Finance Committee for review with Vice-Chair Millhouse and previous Chair Sojka at the March 26th Finance Committee meeting (Chair Foy was unable to attend). The Finance Committee recommended forwarding the Draft Budget to the full Commission as presented for review and a public hearing.

As required by the Administrative Code, a public hearing will be held at the April meeting. The final budget is scheduled for adoption at the Commission’s June 2014 meeting at which time a second public hearing will be held pursuant to the VCTC Administrative Code.

The proposed Draft Fiscal Year 2015/2016 Budget is a balanced budget and is a separate attachment to the agenda. A copy of the Draft Fiscal Year 2015/2016 budget is available on the VCTC website, www.goventura.org.

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Item #12

April 3, 2015

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

**FROM: AMY AHDI, TRANSIT PLANNER
VICTOR KAMHI, BUS SERVICES DIRECTOR**

SUBJECT: GO VENTURA SMARTCARD TAKEDOWN & POSSIBLE FARE INCREASE TITLE VI ANALYSIS

RECOMMENDATION:

- Receive public comments regarding the termination of the Go Ventura Smartcard as well as possible future fare increases for VCTC Intercity (VISTA) services
- Approve the proposed Title VI Analysis

DISCUSSION:

The Federal Transit Administration (FTA) established “Title VI” requirements to ensure that potential discriminatory impact on minority or low-income populations are considered in transit decision making process. While VCTC’s Intercity Transit service falls below the threshold that would require a Title VI analysis as part of a change in the fares (including fare media), VCTC is has prepared information and is inviting public comments to comply with “best practices”. While the termination of the GoVentura Smartcard is occurring because of equipment failures and the inability to rapidly replace the system, the Commission is receiving information on how users of the system report this change will impact them, including analysis by race and income.

As part of the effort to meet “best practices”, Commission staff completed a Title VI survey, with assistance from all the transit operators in the county, and prepared an analysis of the results. Go Ventura Smartcard users were surveyed on every smartcard equipped transit system in Ventura County. Expectedly, responses were highest among VCTC Intercity Transit riders. There was a significant level of concern received over the termination of the Go Ventura Smartcard, which was uniform across race and income groups. Copies of all the survey instruments used are attached to this agenda item.

As part of the VCTC Intercity (VISTA) surveys, several possible changes to the fare structure including fare media, pass types, and prices were also included for evaluation. There did appear to be a willingness to accept a future fare increase, which the Commission will be considering in line with the recommendations being developed in the VCTC Short Range Transit Plan.

The concerns about the loss of the Go Ventura Smartcard from the rider surveys mirror concerns expressed by the Commission at recent meetings, as well as the TRANSCOM. VCTC staff met with staff from the county transit operators, and has agreed to work toward development of a new regional fare media. In the meantime, VCTC staff hopes to implement a “stop gap” measure by summer 2015 which would allow the VCTC mag-stripe passes to be accepted by other bus services in the County.

The attached report (mailed under a separate cover) describes the evaluation process, analysis, and findings of the fare media change consistent with the VCTC Title VI Program and methodology described in FTA Circular 4702.1B, and in compliance with 49 CFR Section 21.5(b)(2), 49 CFR Section 21.5(b)(7) and Appendix C to 49 CFR part 21.

BACKGROUND:

The Go Ventura Smartcard is a regional smartcard program that allows a patron to use a single fare media on all Smartcard equipped transit operators in the county. These include the following: VCTC Intercity, Gold Coast Transit District, Simi Valley Transit, Camarillo Area Transit, Moorpark City Transit, Thousand Oaks Transit and Heritage Valley Transit (Valley Express Dial-a-Ride). In addition, Cal State University Channel Islands (CSUCI) uses the Smartcard to subsidize the cost of the pass for their students and faculty, further promoting use of public transportation.

Unfortunately, the Smartcard has exceeded its life expectancy and, the system equipment and software can no longer be replaced or repaired. On June 30, 2015, the Go Ventura Smartcard will be decommissioned on all of the Smartcard-equipped transit operators in Ventura County. In May 2015, VCTC Intercity transit service will begin transitioning to a GFI magnetic stripe fare card system. Initially, the new pass will be specific to VCTC Intercity (VISTA) and be available in the form of a 31 Day Rolling Pass and 10-ride ticket. The GFI farebox system has already been implemented by Gold Coast Transit, Simi Valley Transit, and Thousand Oaks Transit - the major transit providers in the county. The GFI farebox system has the ability to provide a common technology platform to develop a new countywide fare media or smartcard.



GO VENTURA SMARTCARD SURVEY



The Go Ventura Smartcard system has reached its life expectancy and, the system equipment and software can no longer be replaced or repaired. VCTC (VISTA) will be replacing the smartcard with a new system. Please take a few moments to complete this survey. If you have already completed a survey, do NOT complete another one.

PLEASE ONLY COMPLETE THIS SURVEY IF YOU USE THE GO VENTURA SMARTCARD PASS:



- Which GoVentura bus pass do you usually purchase?
 - ☐ E-Purse
 - ☐ Regular Monthly Pass (\$50 Adults; \$25 Senior/Disabled)
 - ☐ Inter-County Monthly Pass (\$105 Adults; \$52 Senior/Disabled)
 - ☐ Premium Monthly Pass (\$60 Adults; \$38 Senior/Disabled)
- What kind of pass do you purchase?
 - ☐ Adult/ Student
 - ☐ Senior/ Disabled
- How do you typically purchase your GoVentura pass?
 - ☐ In-person at a Sales Outlet ☐ Remotely over the phone
 - ☐ Purchased by a 3rd Party (i.e. Employer)
- How affected would you be if you were no longer able to remotely load money onto your bus pass?
 - ☐ Not affected at all ☐ Moderately affected
 - ☐ Severely affected
- What bus systems do you typically ride (check all that apply)
 - ☐ VISTA
 - ☐ Gold Coast Transit
 - ☐ Thousand Oaks Transit
 - ☐ Simi Valley Transit
 - ☐ Moorpark Transit
 - ☐ Camarillo Fixed Route/ Dial-a-ride
 - ☐ Heritage Valley Dial-a-ride
 - ☐ Other _____
- Typically how many buses does it take to complete your trip one-way?
 - ☐ 1 ☐ 2 ☐ 3 or more
- How often do you typically ride the bus?
 - ☐ 4-5 days/week ☐ Less than 4 days/month
 - ☐ 1-3 days/week ☐ First Time

- If your current GoVentura Pass could only be used on VISTA services how would you be affected?
 - ☐ Not affected at all – I only ride VISTA
 - ☐ Moderately affected – I mostly ride VISTA but occasionally ride another bus service
 - ☐ Severely affected – I ride VISTA and another bus service daily
 - ☐ I purchased this pass to use it on another system that is not VISTA

- If your GoVentura pass could ONLY be used on VISTA services would you still continue to purchase the pass?
 - ☐ Yes, because I only use it on VISTA
 - ☐ Yes, but I would have to use transfers to complete my trip
 - ☐ No, I would no longer purchase the pass but I would purchase another agency's bus pass
 - ☐ No, I would stop taking public transit because it would be too inconvenient

If you marked that you would stop taking public transit how would you complete your trip?

- ☐ Drive Alone ☐ Bike ☐ Friend/Family ☐ Train
- ☐ Carpool/ Vanpool ☐ Walk ☐ Would not make trip

- Annual Household Income
 - ☐ Under \$49,000 ☐ \$49,000 and over ☐ Decline to state
- Race/Ethnicity (Check all that apply)
 - ☐ African American ☐ Asian
 - ☐ American Indian or Alaskan Native ☐ Hispanic/Latino
 - ☐ Native Hawaiian or Pacific Islander ☐ White
 - ☐ Other (specify): _____ ☐ Decline to state

Please write any additional comments below:

Thank you for your participation. All information will be kept confidential.



RIDER SURVEY

The Go Ventura Smartcard system has reached its life expectancy and, the system equipment and software can no longer be replaced or repaired. VCTC (VISTA) will be replacing the smartcard with a new system. Please take a few moments to complete this survey. If you have already completed a survey, do NOT complete another one.

- Do you typically ride the Coastal Express to:
 - ☐ Santa Barbara
 - ☐ Goleta
 - ☐ Other (specify) _____
- How often do you typically ride the bus?
 - ☐ 4-5 days/week
 - ☐ Less than 4 days/month
 - ☐ 1-3 days/week
 - ☐ First Time
- Typically how many buses does it take to complete your trip one-way?
 - ☐ 1
 - ☐ 2
 - ☐ 3 or more
- Would you continue to ride VISTA Coastal Express if the fare increased from \$3.00 to (check all that apply)
 - ☐ \$3.25
 - ☐ \$3.50
 - ☐ \$3.75
 - ☐ \$4.00
 - ☐ \$4.25
 - ☐ \$4.50

If the fare increased to the point that you would not continue to ride VISTA Coastal Express how would you make your trip?

 - ☐ Drive Alone
 - ☐ Bike
 - ☐ Friend/Family
 - ☐ Train
 - ☐ Carpool/ Vanpool
 - ☐ Walk
 - ☐ Other Bus (specify) _____
 - ☐ Would not make trip
- We are considering establishing more express routes. Would you pay more for an express service that skipped stops so that you could get to your destination quicker?
 - ☐ Yes
 - ☐ No
- Annual Household Income
 - ☐ Under \$49,000
 - ☐ \$49,000 and over
 - ☐ Decline to state
- Race/Ethnicity (Check all that apply)
 - ☐ African American
 - ☐ American Indian or Alaskan Native
 - ☐ Native Hawaiian or Pacific Islander
 - ☐ Other (specify): _____
 - ☐ Asian
 - ☐ Hispanic/Latino
 - ☐ White
 - ☐ Decline to state
- What kind of pass do you purchase?
 - ☐ Adult/Student
 - ☐ Senior/Disabled
- How do you typically purchase your GoVentura pass?
 - ☐ In-person at a Sales Outlet
 - ☐ Remotely over the phone
 - ☐ Purchased by a 3rd Party (i.e. Employer)
- How affected would you be if you were no longer able to remotely load money onto your bus pass?
 - ☐ Not affected at all
 - ☐ Moderately affected
 - ☐ Severely affected
- What bus systems do you typically ride (check all that apply)
 - ☐ VISTA
 - ☐ Thousand Oaks Transit
 - ☐ Moorpark Transit
 - ☐ Camarillo CAT
 - ☐ Gold Coast Transit
 - ☐ Simi Valley Transit
 - ☐ Heritage Valley Dial-a-ride
 - ☐ Other _____
- If your current GoVentura Pass could only be used on VISTA services how would you be affected?
 - ☐ Not affected at all – I only ride VISTA
 - ☐ Moderately affected – I mostly ride VISTA but occasionally ride another bus service
 - ☐ Severely affected – I ride VISTA and another bus service daily
 - ☐ I purchased this pass to use it on another system that is not VISTA
- If your GoVentura pass could ONLY be used on VISTA services would you still continue to purchase the pass?
 - ☐ Yes, because I only use it on VISTA
 - ☐ Yes, but I would have to use transfers to complete my trip
 - ☐ No, I would no longer purchase the pass but I would purchase another agency's bus pass
 - ☐ No, I would stop taking public transit because it would be too inconvenient

If you marked that you would stop taking public transit how would you complete your trip?

- ☐ Drive Alone
- ☐ Bike
- ☐ Friend/Family
- ☐ Train
- ☐ Carpool/ Vanpool
- ☐ Walk
- ☐ Would not make trip

**PLEASE COMPLETE THE REST OF THIS SURVEY
ONLY IF YOU USE THE GO VENTURA SMARTCARD
PASS:**



- Which GoVentura bus pass do you usually purchase? (Check all that apply)
 - ☐ E-Purse
 - ☐ Regular Monthly Pass (\$50 Adults; \$25 Senior/Disabled)
 - ☐ Inter-County Monthly Pass (\$105 Adults; \$52 Senior/Disabled)
 - ☐ Premium Monthly Pass (\$60 Adults; \$38 Senior/Disabled)

Please write any additional comments below:

Thank you. All information will be kept confidential.



RIDER SURVEY

The Go Ventura Smartcard system has reached its life expectancy and, the system equipment and software can no longer be replaced or repaired. VCTC (VISTA) will be replacing the smartcard with a new system. Please take a few moments to complete this survey. If you have already completed a survey, do NOT complete another one.

- How often do you typically ride the bus?
☐ 4-5 days/week ☐ Less than 4 days/month
☐ 1-3 days/week ☐ First Time
- Typically how many buses does it take to complete your trip one-way?
☐ 1 ☐ 2 ☐ 3 or more
- Would you continue to ride VISTA Conejo Connection if the fare increased from \$3.00 to (check all that apply)
☐ \$3.25 ☐ \$3.50 ☐ \$3.75
☐ \$4.00 ☐ \$4.25 ☐ \$4.50

 If the fare increased to the point that you would not continue to ride VISTA Conejo Connection how would you make your trip?
☐ Drive Alone ☐ Bike ☐ Friend/Family ☐ Train
☐ Carpool/Vanpool ☐ Walk ☐ Other Bus (specify) _____
☐ Would not make trip
- Annual Household Income
☐ Under \$49,000 ☐ \$49,000 and over ☐ Decline to state
- Race/Ethnicity (Check all that apply)
☐ African American ☐ Asian
☐ American Indian or Alaskan Native ☐ Hispanic/Latino
☐ Native Hawaiian or Pacific Islander ☐ White
☐ Other (specify): _____ ☐ Decline to state
- What bus systems do you typically ride (check all that apply)
☐ VISTA ☐ Gold Coast Transit
☐ Thousand Oaks Transit ☐ Simi Valley Transit
☐ Moorpark Transit ☐ Heritage Valley Dial-a-ride
☐ Camarillo CAT ☐ Other _____
- If your current GoVentura Pass could only be used on VISTA services how would you be affected?
☐ Not affected at all – I only ride VISTA
☐ Moderately affected – I mostly ride VISTA but occasionally ride another bus service
☐ Severely affected – I ride VISTA and another bus service daily
☐ If purchased this pass to use it on another system that is not VISTA
- If your GoVentura pass could ONLY be used on VISTA services would you still continue to purchase the pass?
☐ Yes, because I only use it on VISTA
☐ Yes, but I would have to use transfers to complete my trip
☐ No, I would no longer purchase the pass but I would purchase another agency's bus pass
☐ No, I would stop taking public transit because it would be too inconvenient

 If you marked that you would stop taking public transit how would you complete your trip?
☐ Drive Alone ☐ Bike ☐ Friend/Family ☐ Train
☐ Carpool/Vanpool ☐ Walk ☐ Would not make trip

**PLEASE COMPLETE THE REST OF THIS SURVEY
ONLY IF YOU USE THE GO VENTURA SMARTCARD
PASS:**



- Which GoVentura bus pass do you usually purchase?
 (Check all that apply)
☐ E-Purse
☐ Regular Monthly Pass (\$50 Adults; \$25 Senior/Disabled)
☐ Inter-County Monthly Pass (\$105 Adults; \$52 Senior/Disabled)
☐ Premium Monthly Pass (\$60 Adults; \$38 Senior/Disabled)
- What kind of pass do you purchase?
☐ Adult/Student ☐ Senior/Disabled
- How do you typically purchase your GoVentura pass?
☐ In-person at a Sales Outlet ☐ Remotely over the phone
☐ Purchased by a 3rd Party (i.e. Employer)
- How affected would you be if you were no longer able to remotely load money onto your bus pass?
☐ Not affected at all ☐ Moderately affected ☐ Severely affected

Please write any additional comments below:

Thank you. All information will be kept confidential.



RIDER SURVEY

The Go Ventura Smartcard system has reached its life expectancy and, the system equipment and software can no longer be replaced or repaired. VCTC (VISTA) will be replacing the smartcard with a new system. Please take a few moments to complete this survey. If you have already completed a survey, do NOT complete another one.

PLEASE DO NOT FILL OUT THIS SURVEY IF YOU USE THE CSUCI SEMESTER BUS PASS

- How often do you typically ride the bus?
☐ 4-5 days/week ☐ Less than 4 days/month
☐ 1-3 days/week ☐ First Time
- Typically how many buses does it take to complete your trip one-way?
☐ 1 ☐ 2 ☐ 3 or more
- Would you continue to ride VISTA if the fare increased from \$1.25 to (check all that apply):
☐ \$1.50 ☐ \$1.75 ☐ \$2.00 ☐ \$2.25

If the fare increased to the point that you would not continue to ride VISTA, how would you make your trip?
☐ Drive Alone ☐ Bike ☐ Friend/Family ☐ Train
☐ Carpool/ Vanpool ☐ Walk ☐ Other Bus (specify) _____
☐ Would not make trip
- Annual Household Income
☐ Under \$49,000 ☐ \$49,000 and over ☐ Decline to state
- Race/Ethnicity (Check all that apply)
☐ African American ☐ Asian
☐ American Indian or Alaskan Native ☐ Hispanic/Latino
☐ Native Hawaiian or Pacific Islander ☐ White
☐ Other (specify): _____ ☐ Decline to state

PLEASE COMPLETE THE REST OF THIS SURVEY ONLY IF YOU USE THE GO VENTURA SMARTCARD PASS:



- Which Go Ventura bus pass do you usually purchase?
 (Check all that apply)
☐ E-Purse
☐ Regular Monthly Pass (\$50 Adults; \$25 Senior/Disabled)
☐ Inter-County Monthly Pass (\$105 Adults; \$52 Senior/Disabled)
☐ Premium Monthly Pass (\$60 Adults; \$38 Senior/Disabled)
- What kind of bus pass do you purchase?
☐ Adult/ Student ☐ Senior/ Disabled
- How do you typically purchase your Go Ventura pass?
☐ In-person at a Sales Outlet ☐ Remotely over the phone
☐ Purchased by a 3rd Party (i.e. Employer)
- How affected would you be if you were no longer able to remotely load money onto your bus pass?
☐ Not affected at all ☐ Moderately affected ☐ Severely affected

- What bus systems do you typically ride (check all that apply)
☐ VISTA ☐ Gold Coast Transit
☒ Thousand Oaks Transit ☐ Simi Valley Transit
☐ Moorpark Transit ☐ Heritage Valley Dial-a-ride
☐ Camarillo CAT ☐ Other _____

- If your current Go Ventura Pass could only be used on VISTA services how would you be affected?
☐ Not affected at all – I only ride VISTA
☐ Moderately affected – I mostly ride VISTA but occasionally ride another bus service
☐ Severely affected – I ride VISTA and another bus service daily
☐ I purchased this pass to use it on another system that is not VISTA

- If your Go Ventura pass could ONLY be used on VISTA services would you still continue to purchase the pass?
☐ Yes, because I only use it on VISTA
☐ Yes, but I would have to use transfers to complete my trip
☐ No, I would no longer purchase the pass but I would purchase another agency's bus pass
☐ No, I would stop taking public transit because it would be too inconvenient

If you marked that you would stop taking public transit how would you complete your trip?

- ☐ Drive Alone ☐ Bike ☐ Friend/Family ☐ Train
☐ Carpool/ Vanpool ☐ Walk ☐ Would not make trip

Please write any additional comments below:

Thank you. All information will be kept confidential.



Item #13

April 3, 2015

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: LEGISLATIVE UPDATE & POSITIONS ON BILLS

RECOMMENDATION:

- Adopt SUPPORT – WORK WITH AUTHOR position on HR 1308 (Lowenthal) to fund a national goods movement program.
- Adopt SUPPORT position on AB 227 (Alejo) to address transportation funding.
- Adopt SUPPORT position on AB 1250 (Bloom) to extend the bus axle weight exemption.
- Adopt SUPPORT position on SB 321 (Beall) to modify the gasoline tax adjustments related to the transportation funding swap.
- Adopt SUPPORT position on SB 508 (Beall) to revise state transit funding requirements.
- Adopt position to SUPPORT the request of Assembly Member Jacqui Irwin to the Assembly Budget Committee to fund the establishment of an engineering program at California State University, Channel Islands (CSUCI).

BACKGROUND:

Federal Issues

Congressman Alan Lowenthal (D-Long Beach) has introduced legislation for a national goods movement program. The bill, HR 1308, called "Economy in Motion: The National Multimodal and Sustainable Freight Infrastructure Act" would raise about \$8 billion per year for freight infrastructure projects through a 1% tax on the shippers. Attachment A is Congressman Lowenthal's press release on this bill.

Given the significance of goods movement through ports in Southern California and in Ventura County, VCTC has been working cooperatively with the Port of Hueneme and the Southern California transportation agencies to support a regional approach to Goods Movement project planning. The agencies have also supported the development of dedicated fund sources, such as the Proposition 1B Trade Corridor Infrastructure Account, to pay for freight infrastructure improvements. Last December, the Commission adopted a "SUPPORT – WORK WITH AUTHOR" position on HR 5101 (Hahn) which would provide a dedicated freight program funding source from a 5% tax on import duties, to raise \$1.9 billion per year.

It is anticipated that the many of the Southern California Regional agencies will support HR 1308. Staff recommends that VCTC work with other Southern California agencies to support inclusion of this proposal in the next surface transportation reauthorization bill, preferably with language to ensure that funding availability be proportional, in part, to where the goods movement revenues are generated.

State Issues

Attachment B provides the monthly report of Delaney Hunter, the Commission's state lobbyist. Attachments C provides the analysis of AB 227, a bill that would increase transportation revenues through various strategies including the return of truck weight fee revenues to the highway fund and expedited repayment of prior general fund loans from transportation. Attachment D gives the analysis of AB 1250, extending the bus axle weight exemption. Attachment E is an analysis of SB 321 which revises the method for adjusting the gasoline tax to provide revenue neutrality in the transportation fund swap while at the same time attempting to stabilize funding over time. Attachment F contains the analysis of SB 508 which would revise the requirements for Transportation Development Act (TDA) Local Transportation Funds (LTF) as well as State Transit Assistance (STA). The provisions of SB 508 are important to Ventura County transit operators, as the bill would address the requirement that transit expenses not increase beyond the Consumer Price Index, which has been an issue for VCTC's services. SB 508 also exempts certain costs from the calculation of the farebox ratio, a change that will be beneficial to the transit operators.

Attachment G is the matrix updating the status of bills being tracked by VCTC. The matrix includes the two bills included in this agenda, AB 4 (Linder) on which the position took a position last month, and also ACA 4 (Frazier) which would place on the ballot a constitutional amendment lowering the transportation sales tax measure to 55% as supported by the Commission in its 2015 Legislative Program.

Finally, CSUCI has proposed the establishment of an engineering program, and Assembly Member Jacqui Irwin (D-Thousand Oaks) has submitted a letter (Attachment H) to the Assembly Budget Committee to support the required state funding. Establishment of such a school will help to ensure that there is a sufficient pool engineering talent to meet the requirements of Ventura County employers including local firms that can support delivery of transportation projects. Furthermore, the presence of such a school could help encourage the expansion of engineering employment in the county. Staff therefore recommends the Commission support this request. Based on the adoption of the Commission position staff will submit a letter of support to Assembly Member Irwin.

U.S. CONGRESSMAN
ALAN LOWENTHAL
Serving California's 47th District

Press Releases

Rep. Lowenthal Bill Will Create Dedicated Revenue Source To Invest In Crumbling National Freight Infrastructure

Washington, D.C., Mar 18 | [0 comments](#)

In an effort to strengthen America's economic competitiveness, Congressman Alan Lowenthal (D-CA) has introduced bipartisan legislation which will provide a dedicated revenue source to invest in rebuilding our nation's crumbling freight infrastructure.

"Goods movement is one of the most powerful economic engines in our nation. And yet, the infrastructure this engine depends on is crumbling around us. We have the ability to fix it, make it stronger, and make it better, while also taking action to address the negative impacts of goods movement on our communities," Congressman Lowenthal said.

The Congressman's bill, [H.R.1308, *Economy in Motion: The National Multimodal and Sustainable Freight Infrastructure Act*](#), would raise roughly \$8 billion a year dedicated to freight-related infrastructure projects throughout the nation, with a focus on multimodal projects and projects that help relieve the bottlenecks in the freight transportation system.

"Because we have been neglecting our infrastructure, the stresses and strains causing our roadways and bridges to deteriorate threaten our quality of life," [Congressman Dana Rohrabacher](#) (R-CA), an original cosponsor of the bill, said. "We cannot allow the transport of consumer goods, agricultural products, and industrial equipment to be taken for granted. I am happy to be cosponsoring this farsighted legislation to keep our economy in motion and thus Americans' livelihoods sustained well into the future."

The bill would establish the Freight Transportation Infrastructure Trust Fund and be funded through a national 1 percent waybill fee on the transportation cost of goods.

"The City and Port of Long Beach need funding to improve the Long Beach Freeway's (I-710) increasing traffic volumes, aging infrastructure, and serious congestion. H.R. 1308 will provide an ongoing source of funding which will allow us to implement freight specific solutions, while delivering air quality benefits to the greater Long Beach community," [Long Beach](#) Mayor Robert Garcia said.

To invest the funds, the bill creates two freight specific grant programs.

The first is a formula system, in which each state would receive funds each year based on the amount of existing freight infrastructure within the state. To be eligible, states must develop comprehensive State Freight Plans. They must also have, or form, State Freight Advisory Committees, as encouraged under MAP-21, the federal highway authorization enacted in 2012.

In addition, the state freight plans will contain environmental goals and strategies developed by state freight advisory committee members; providing a path for freight projects to address and reduce the environmental and community impacts of goods movement.

A second funding mechanism is a competitive grant program that would be open to all local, regional, and state governments.

In order to address the growing national backlog of infrastructure needs to support our economy, sustained investment at the \$8 billion level is necessary.

The latest [report card on America's infrastructure](#) from the American Society of Civil Engineers rated America's national bridges and rail system with a C+, our ports with a C, and our roads with a D. The overall grade for our entire infrastructure system was a D+.

According to a [September 2014 national infrastructure report](#) by the National Association of Manufacturers, "New funding will help the United States catch up from a well-documented backlog of deferred infrastructure projects that have accumulated over the past 10 years, including maintenance, repair, and new capacity. Many of the critical problems already are identified. It is urgent to take immediate action on long-standing and stalled projects."

A growing coalition of supporters for the bill include government agencies, municipalities, trade groups, private industry and others who recognize our nation's economy depends on efficient and connected goods movement infrastructure.

"Our port, and all U.S. ports, need to make major investments to remain competitive," [Port of Long Beach](#) CEO Jon Slingerup said. "So the Port of Long Beach is supportive of innovative efforts to assist in funding freight and transportation projects. H.R. 1308 is a step in the right direction and we look forward to working with Congressman Lowenthal and others to address solutions to meet other national infrastructure needs."

"H.R. 1308 is a smart and well-crafted bill that tackles the nation's freight transportation issues head on," said Dave Cortese, Santa Clara County, California, Supervisor and chair of the San Francisco Bay Area's [Metropolitan Transportation Commission](#). "Whether it's exporting goods through the Port of Oakland or moving freight up and down the East Coast, Congressman Lowenthal recognizes that goods movement is a national priority and a key to maintaining America's global competitiveness. The bill not only creates a dedicated national trust fund for freight transport but also provides a simple and efficient way to sustain the fund for the long haul."

"Congressman Lowenthal is right on the mark with this bill, which will help American industry grow and create jobs as it competes more effectively in domestic and international markets. Unreliable, congested, and inefficient goods movement infrastructure costs businesses, workers and consumers with a hidden tax that saps prosperity," President and Executive Director of the [Coalition for America's Gateways and Trade Corridors](#) Leslie Blakey said. "When the government fails to invest in the engine that drives commerce, everyone pays the tax but no one takes responsibility for it. Passage of H.R. 1308 would give America back its competitive infrastructure edge."

[Los Angeles County Metropolitan Transportation Authority](#) CEO Arthur T. Leahy said, "Metro believes the efficient movement of freight cargo is vital to improving the mobility of all the residents in Los Angeles County. Having resources dedicated to projects that will improve the flow of goods from the County's two ports, Los Angeles and Long Beach, will improve mobility, air quality, the economy and most importantly the safety of those who use our highways and transit. Metro is appreciative of Congressman Lowenthal for being a leader on this issue and offering a solution that will improve the quality of lives for millions throughout Los Angeles County."

H.R. 1308 was introduced on March 4 with original cosponsors Rep. Dana Rohrabacher (CA-48), Rep. Ann Kirkpatrick (AZ-1), and Rep. Brenda Lawrence (MI-14). Representative Mark Takano (CA-41) is also a cosponsor.



GONZALEZ, QUINTANA & HUNTER, LLC

VENTURA COUNTY TRANSPORTATION COMMISSION MONTHLY STATE ADVOCACY REPORT MARCH 2015

General Legislative Updates

After the February 27 bill introduction deadline, the Rules Committee in both houses began the process of reviewing and referring bills to the appropriate policy committees. Many still remain to be referred, but those that were introduced early in the session have already been set for hearings. Policy Committees held their first bill hearings starting in mid-March. The various oversight and informational hearings also continue but will start to wind down by the end of the month. Budget Subcommittees have been meeting regularly to review the items in the Governor's Budget proposal, and make recommendations.

A major legislative priority during the end of March focused on the Emergency Drought Package, introduced by the Governor and Leadership. This bill package will be expedited through the process before Spring Recess begins on March 26th. The Legislature will reconvene from Spring Recess on Monday, April 6 and policy committee hearings will be in full swing.

Bills of Interest

AB 4 (Linder) – Vehicle Weight Fees: Transportation bond debt service.

Summary: Would, until January 1, 2020, prohibit weight fee revenues from being transferred from the State Highway Account to the Transportation Deb Service Fund, the Transportation Bond Direct Payment Account, or any other fund or account for the purpose of payment of the debt service on transportation general obligation bonds, and would also prohibit loans of weight fee revenues to the General Fund.

Status: 1/16/2015 - Referred to Assembly Committee on Transportation

Position: Support.

AB 6 (Wilk) – High Speed Rail Bonds: school facilities.

Summary: This bill would provide that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase 1 blended system. The bill, subject to the above exception, would

require redirection of the unspent proceeds received from outstanding bonds issued and sold for other high-speed rail purposes prior to the effective date of these provisions, upon appropriation, for use in retiring the debt incurred from the issuance and sale of those outstanding bonds. The bill, subject to the above exception, would also require the net proceeds of other bonds subsequently issued and sold under the high-speed rail portion of the bond act to be made available, upon appropriation, to fund construction of school facilities for K-12 and higher education. The bill would make no changes to the authorization under the bond act for issuance of \$950 million for rail purposes other than high-speed rail. These provisions would become effective only upon approval by the voters at the next statewide election.

Status: 1/16/2015 - Referred to the Assembly Committees on Transportation and Education

AB 21 (Perea) – California Global Warming Solutions Act: Emissions Limits: Scoping Plan.

Summary: Requires the State Air Resources Board, no later than January 1, 2018, to recommend to the Governor and the Legislature a specific target of statewide emissions reductions for 2030 to be accomplished in a cost-effective manner.

Status: 1/16/2015 - Referred to the Assembly Committee on Natural Resources

AB 23 (Patterson) – California Global Warming Solutions Act: Market-Based Compliance Mechanisms: Exemption

Summary: Exempt transportation fuels and natural gas from the California Air Resource Board's cap-and-trade program.

Status: 3/23/2015 – Heard in the Assembly Natural Resources Committee - **Failed passage**

AB 33 (Quirk) – California Global Warming Solutions Act: Scoping Plan

Summary: Requires the State Air Resources Board to develop specified information by July 1, 2016 for purposes of updating the next scoping plan and to report to the appropriate committees of the Legislature on the specified information on or before January 1, 2017.

Status: 1/22/2015 - Referred to the Assembly Committee on Natural Resources

AB 194 (Frazier) – High-occupancy toll lanes.

Summary: Would delete the requirement that high-occupancy toll (HOT) lanes facilities be consistent with the established standards, requirements, and limitations that apply to specified facilities and would instead require the California Transportation Commission to establish guidelines for the development and operation of the facilities approved by the commission on or after January 1, 2016, subject to specified minimum requirements. The bill would provide that these provisions do not authorize the conversion of any existing nontoll or nonuser-fee lanes into tolled or user-fee lanes, except that a high-occupancy vehicle lane may be converted into a high-occupancy toll lane pursuant to its provisions.

Status: 2/9/2015 - Referred to the Assembly Committee on Transportation

AB 210 (Gatto) – High-occupancy vehicle lanes: County of Los Angeles.

Summary: Would prohibit, commencing July 1, 2016, any high-occupancy vehicle lane from being established on specified portions of state highway routes in the County of Los Angeles, unless that lane is established as a high-occupancy vehicle lane only during the hours of heavy commuter traffic, as determined by the Department of Transportation. The bill would require any existing high-occupancy vehicle lane established on the specified portions of these routes to be modified to conform with those requirements.

Status: 3/23/2015 – Heard in the Assembly Committee on Transportation. **Passed** and re-referred to the Committee on Appropriations.

AB 227 (Alejo) – Transportation funding.

Summary: Current law provides for loans of revenues from various transportation funds and accounts to the General Fund, with various repayment dates specified. This bill, with respect to any loans made to the General Fund from specified transportation funds and accounts with a repayment date of January 1, 2019, or later, would require the loans to be repaid by December 31, 2018.

Status: 2/17/2015 - Referred to the Assembly Committee on Transportation and Budget

AB 323 (Olsen) – CEQA Exemption: Roadway Improvement

Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would extend the above exemption indefinitely.

Status: 3/23/2015 – Heard in the Assembly Committee on Natural Resources. **Passed with amendments** and re-referred to the Assembly Committee on Transportation.

AB 338 (Hernandez) Los Angeles County Metropolitan Transportation Authority: transactions and use tax.

Summary: Would authorize the Los Angeles County Metropolitan Transportation Authority (MTA) to impose an additional transportation transactions and use tax at a rate of 0.5%, for a period not to exceed 30 years, subject to various requirements, including the adoption of an expenditure plan and voter approval. This bill contains other related provisions and other existing laws.

Status: 3/23/2015 - Referred to the Assembly Committee on Local Government

AB 464 (Mullin) Transactions and use taxes: maximum combined rate.

Summary: Current law authorizes cities and counties, subject to certain limitations and approval requirements, to levy a transactions and use tax for general purposes, in accordance with the procedures and requirements set forth in the Transactions and Use Tax Law, including a requirement that the combined rate of all taxes imposed in accordance with that law in the county not exceed 2%. This bill would increase that maximum combined rate to 3%.

Status: 3/5/2015 - Referred to the Assembly Committee on Revenue and Taxation

AB 869 (Cooper) Public transportation agencies: fare evasion and prohibited conduct.

Summary: Current law authorizes a public transportation agency to adopt and enforce an ordinance to impose and enforce civil administrative penalties for fare evasion or other passenger misconduct, other than by minors, on or in a transit facility or vehicle in lieu of the criminal penalties otherwise applicable, with specified administrative procedures for the imposition and enforcement of the administrative penalties, including an initial review and opportunity for a subsequent administrative hearing. This bill would provide that a person who fails to pay the administrative penalty when due or successfully complete the administrative process to dismiss the notice of fare evasion or passenger misconduct may be subject to those criminal penalties.

Status: 3/16/2015 – Referred to the Assembly Committee on Transportation

AB 1115 (Salas) Transportation funds.

Summary: Current law authorizes a public transportation agency to adopt and enforce an ordinance to impose and enforce civil administrative penalties for fare evasion or other passenger misconduct, other than by minors, on or in a transit facility or vehicle in lieu of the criminal penalties otherwise applicable, with specified administrative procedures for the imposition and enforcement of the administrative penalties, including an initial review and opportunity for a subsequent administrative hearing. This bill would provide that a person who fails to pay the administrative penalty when due or successfully complete the administrative process to dismiss the notice of fare evasion or passenger misconduct may be subject to those criminal penalties.

Status: Pending referral

AB 1171 (Linder) Construction Manager/General Contractor method: regional transportation agencies: projects on expressways.

Summary: Would authorize regional transportation agencies, as defined, to use the Construction Manager/General Contractor project delivery method, as specified, to design and construct certain projects on expressways that are not on the state highway system if the projects are developed in accordance with an expenditure plan approved by voters as of January 1, 2014. The bill would require specified information provided to a regional transportation agency to be verified under oath. By expanding the scope of an existing crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Status: 3/23/2015 – Referred to the Assembly Committee on Transportation

AB 1250 (Bloom) Vehicles: buses: gross axle weight.

Summary: Current law, operative January 1, 2016, provides that the gross weight on any one axle of a bus shall not exceed 20,500 pounds. Current law exempts from this limitation a transit bus procured through a solicitation process pursuant to which a solicitation was issued before January 1, 2013. A violation of this provision is a crime. This bill would exempt from the weight limitation transit buses procured through a solicitation process pursuant to which a solicitation was issued before January 1, 2016.

Status: 3/23/2015 – Referred to the Assembly Committee on Transportation

AB 1265 (Perea) Transportation projects: comprehensive development lease agreements.

Summary: Current law authorizes the Department of Transportation and regional transportation agencies to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users of those projects tolls and user fees, subject to various terms and requirements. Current law provides that a lease agreement may not be entered into under these provisions on or after January 1, 2017. This bill would extend this authorization indefinitely and would delete obsolete cross-references and make technical changes to these provisions.

Status: 3/23/2015 – Referred to the Assembly Committee on Transportation

AB 1364 (Linder) California Transportation Commission.

Summary: Current law vests the California Transportation Commission with specified powers, duties, and functions relative to transportation matters. Current law requires the commission to retain independent authority to perform the duties and functions prescribed to it under any provision of law. This bill would exclude the California Transportation Commission from the Transportation Agency and establish it as an entity in the state government. The bill would also make conforming changes.

Status: 3/23/2015 – Referred to the Assembly Committee on Transportation

ACA 4 (Frazier) Local government transportation projects: special taxes: voter approval.

Summary: Would provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects, as defined, requires the approval of 55% of its voters voting on the proposition. The measure would also make conforming and technical, nonsubstantive changes. This measure would also provide that it shall become effective immediately upon approval by the voters and shall apply to any local measure imposing, extending, or increasing a special tax for local transportation projects submitted at the same election.

Status: Pending Referral

Position: Support

SB 1 (Gaines) – California Global Warming Solutions Act: Market-Based Compliance Mechanisms: Exemption

Summary: Exempt transportation fuels and natural gas from the California Air Resource Board's cap-and-trade program.

Status: 3/17/2015 - Set for hearing in the Senate Committee on Environmental Quality April 15

SB 5 (Vidak) – California Global Warming Solutions Act: Market-Based Compliance Mechanisms: Exemption

Summary: Exempt transportation fuels and natural gas from the California Air Resource Board's cap-and-trade program.

Status: 3/17/2015 - Set for hearing in the Senate Committee on Environmental Quality April 15

SB 9 (Beall) – Cap and Trade Funding: Transit Capital Program

Summary: Modifies the purpose of the program to delete references to operational investments and instead provides for the funding of large, transformative capital improvements with a total cost exceeding \$100,000,000. The bill would require the Transportation Agency, in prioritizing and selecting projects for funding, to consider the extent to which a project reduces GHGs and would add additional factors to be considered in evaluating applications for funding.

Status: 3/23/2015 – Heard in the Senate Committee on Environmental Quality. **Passed** with amendments and re-referred to the Senate Committee on Transportation and Housing

SB 16 (Beall) – Department of Transportation

Summary: Would require the Department of Transportation, by April 1, 2016, and as part of its budget for the 2016-17 fiscal year, to prepare a plan to identify up to \$200,000,000 annually in cost savings from its budget, and to submit the plan to the appropriate policy committees of the Senate and the Assembly. This bill contains other existing laws.

Status: 3/2/2015 – Referred to the Senate Committee on Rules

SB 32 (Pavley) – Global Warming Solutions Act: Emissions Limit

Summary: Requires the State Air Resources Board to approve a statewide greenhouse gas emission limit that is equivalent to 80% below the 1990 level to be achieved by 2050, as specified. Also authorizes the state board to adopt interim greenhouse gas emissions level targets to be achieved by 2030 and 2040 and states the intent of the Legislature for the Legislature and appropriate agencies to adopt complementary policies that ensure long-term emissions reductions.

Status: 3/17/2015 - Set for hearing in the Senate Committee on Environmental Quality April 15

SB 39 (Pavley) Vehicles: high-occupancy vehicle lanes.

Summary: Current federal law, until September 30, 2017, authorizes a state to allow specified labeled vehicles to use lanes designated for high-occupancy vehicles (HOVs). This bill would increase the number of those identifiers that the DMV is authorized to issue to an unspecified amount. This bill contains other related provisions and other current laws.

Status: 1/15/2015 - Referred to the Senate Committee on Transportation and Housing

SB 64 (Liu) California Transportation Plan.

Summary: Would require the California Transportation Commission to review recommendations in the update to the California Transportation Plan prepared by the department in 2015, and every 5 years thereafter, to prepare specific recommendations for statewide integrated multimodal transportation system improvements, and to submit a report in that regard to the Legislature and the Governor by December 31, 2016 and every 5 years thereafter.

Status: 1/15/2015 - Referred to the Senate Committee on Transportation and Housing

SB 254 (Leyva) Transit districts: ordinances.

Summary: Current law provides for the creation of the Southern California Rapid Transit District in and around the County of Los Angeles, with specified powers and duties relative to providing public transit service. Current law requires an ordinance passed by the board of directors of the district to be published once within 15 days after passage in a newspaper of general circulation printed and published in the district. This bill would authorize the district to print and publish an ordinance in a newspaper of general circulation more than once within 15 days after passage.

Status: 2/26/2015 - Referred to the Senate Committee on Transportation and Housing

SB 321 (Beall) Motor vehicle fuel taxes: rates: adjustments.

Summary: Current law, as of July 1, 2010, exempts the sale of, and the storage, use, or other consumption of, motor vehicle fuel from specified sales and use taxes and increases the excise tax on motor vehicle fuel, as provided. This bill would, for the 2015-16 fiscal year and each fiscal year thereafter, require the State Board of Equalization, on or before July 1, 2015, or March 1 of the fiscal year immediately preceding the applicable fiscal year, as specified, to adjust the rate in a manner as to generate an amount of revenue equal to the average amount of revenue loss attributable to the exemption over the next five fiscal years, based on estimates made by the board, and continuing to take into account adjustments required by existing law to maintain revenue neutrality.

Status: 3/5/2015 - Referred to the Senate Committee on Governance and Finance

SB 391 (Huff) Assault and Battery: transit employees.

Summary: Would also make an assault committed against a transit employee punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$2,000, or by both that fine and imprisonment. By expanding the scope of a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Status: 3/5/2015 - Referred to the Senate Committee on Public Safety

SB 491 (Committee on Transportation and Housing) Transportation: omnibus bill.

Summary: Current law, in the area under the jurisdiction of the Bay Area Air Quality Management District, requires at least 40% of fee revenues to be proportionately allocated to each county within the district, and requires an entity receiving these revenues to hold at least one annual public meeting for the purpose of adopting criteria for expenditure of the funds and to review those expenditures. This bill would delete the requirement for an annual public meeting to adopt criteria for expenditure of funds, unless the criteria have been modified from the previous year.

Status: 3/12/2015 - Referred to the Senate Committee on Transportation and Housing

SB 508 (Beall) Transit operations: financial requirements.

Summary: Would delete the requirement for transit operators to maintain higher farebox requirements based on the 1978-79 fiscal year. The bill would exempt additional categories of expenditures from the definition of "operating cost" used to determine compliance with required farebox ratios, including, among others, certain health coverage, pension, fuel, insurance, and claims settlement costs. The bill would also exempt startup costs for new transit services for up to 2 years.

Status: 3/12/2015 - Referred to the Senate Committee on Transportation and Housing

SB 529 (Pan) Public transit.

Summary: The Public Utilities Commission is required to inspect all work done on public transit guideways, and is authorized to make further additions or changes necessary for the purpose of safety to employees and the general public, and is required to develop an oversight program employing safety planning criteria, guidelines, safety standards, and safety procedures to be met by operators in the design, construction, and operation of those guideways.

Status: 3/12/2015 - Referred to the Senate Committee on Rules

SB 649 (Roth) Vehicles: weight limits.

Summary: Current law generally prohibits the total gross weight in pounds imposed on the highway by a group of 2 or more consecutive axles of a vehicle from exceeding a specified weight, depending on the distance in feet between the extremes of a group of 2 or more consecutive axles, and the number of axles. This bill would make technical, nonsubstantive changes to those provisions.

Status: 3/12/2015 - Referred to the Senate Committee on Rules

SB 767 (De Leon) Los Angeles County Metropolitan Transportation Authority: transactions and use tax.

Summary: Would authorize the Los Angeles County Metropolitan Transportation Authority (MTA) to impose an additional transportation transactions and use tax at a rate of 0.5% subject to various requirements, including the adoption of an expenditure plan and voter approval. This bill contains other related provisions and other existing laws.

Status: 3/12/2015 - Referred to the Senate Committee on Transportation & Housing and Governance & Finance

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Assembly Bill 227 (Alejo)**Summary:**

AB 227 aims to help relieve a portion of California's nearly \$59 billion backlog in deferred transportation upkeep and repair. Specifically, this bill would:

- (1) Stop the transfer of weight fees from the SHA to pay for debt service. As a result, approximately \$1 billion in weight fees would stay in the SHA and be distributed using the same formula as the price-based excise tax is distributed – a 44%/44%/12% split for local streets and roads, State Transportation Improvement Program (STIP), and State Highway Operations and Protections Program (SHOPP), respectively.
- (2) Accelerate the loan repayment dates of several loans relative to State Highway Account loans to the General Fund the Public Transportation Account to be repaid by December 31, 2018.
- (3) Extend the sunset on local jurisdictions' ability to enter into public private partnerships (P3s), which allow for private investment into our transportation system. In its current form, the number of years this sunset would be extended is left unspecified.

Purpose:

Now that the State is recovering from the budget crisis, there is no longer a need to use vehicle weight fees to provide General Fund relief. These fees are levied to offset the impact of heavy commercial trucks on the roadway, and the revenue should appropriately for its original intent to fund highway repair projects. Further, as the economy recovers, budget revenues are higher and can be invested in accelerated debt repayment to pay back bond and loans faster than planned.

By enabling California's public sector to partner with the private sector to develop, construct, and operate transportation projects, the state is able to accelerate goods movement, improve air quality, and facilitate economic development. In 2009, the authority allowing regional transportation agencies and Caltrans to enter into an unlimited number of P3s was granted until January 1, 2017. Coming up on this deadline, the author's office intends to extend the timeframe for transportation agencies to utilize this tool.

Author Statement:

According to the author, investing in our transportation system means safer roads, less congestion, and jobs – all three of which are vitally important to the state of California. In the wake of the economic downturn, funds that were once collected for the purpose of maintaining our transportation system were diverted to the General Fund to pay off debt and maintain other services. Now that our economy is on the rise, with the Legislative Analyst's Office expecting the state's budget to be \$2.5 billion higher than expected, we must start to reinvest in the states quickly deteriorating roadways.

A high quality transportation network is vital to a top performing economy. It allows businesses to manage their inventories and transport goods more cheaply and efficiently, as well as access a variety of suppliers and markets for their products. Families will also benefit from lower priced goods and by gaining better access to jobs. The economic benefits of smart infrastructure investment are long-term competitiveness, productivity, innovation, lower prices, and higher incomes, while infrastructure investment also creates jobs in the near-term.

Existing Law:

Existing law imposes weight fees on the registration of commercial motor vehicles and provides for the deposit of net weight fee revenues into the State Highway Account. During the economic downturn, legislation was passed to provide for the transfer of weight fee revenues from the State Highway Account to the Transportation Debt Service Fund to reimburse the General Fund for payment of transportation bonds. Because of this transfer out of the SHA into the General Fund, an allocation of the revenues from the gas excise tax is transferred into the SHA to reimburse the account for the amount of weight fee revenues it loses. The remaining amount of excise tax revenue is allocated 44% to city and county streets and roads, 44% to the STIP, and 12% to the SHOPP. Existing law also requires certain other revenues deposited in the SHA to be transferred to the Transportation Debt Service Fund, and continuously appropriates these funds for payment of current year debt on transportation bonds.

Caltrans and regional transportation agencies have authority to enter into P3s, which are defined as “comprehensive development lease agreements with public or private entities, or consortia thereof,” under the following conditions:

- a) The California Transportation Commission (CTC) must review and approve proposed P3 projects;
- b) Proposed projects must be primarily designed to improve mobility, improve the operations or safety of the affected corridor, and provide quantifiable air quality benefits; and,
- c) Proposed projects must also address known forecast demands.

P3s are required to authorize the implementation of tolls and user fees for the use of the facility being constructed. Currently these provisions for entering into P3 lease agreements may only be entered into until January 1, 2017.

Related legislation:

AB 4 (Linder) would prohibit weight fee revenues from being shifted out of the State Highway Account and used to pay debt service on transportation bonds until January 1, 2020.

AB 1265 (Perea) would repeal the sunset date for P3 authority, making it permanent.

AB 680 (Baker), Chapter 107, Statutes of 1989, gave the state of California the ability to create four P3s for transportation projects..

SBX2 4 (Cogdill), Chapter 2, Statutes of 2009, established the legislative authority to exercise P3s until January 1, 2017, with no limitation on number.

Support/Opposition (as of March 24, 2015):**Support**

None on file.

Opposition

None on file.

Assembly Bill 1250 (Bloom)**Summary:**

This bill would exempt transit buses procured through a solicitation process before January 1, 2016 from the 20,500 pound maximum gross axle weight limitation.

Purpose:

The existing Vehicle Code weight limit was created more than 35 years ago, without contemplating today's operating environment or legal and regulatory requirements. However, simply increasing the weight limit for transit buses is not a simple fix, because for cities and counties that are responsible for local streets and roads, more weight means more and faster wear and tear on the system.

AB 1706 (Eng), Chapter 771, Statutes of 2012, provided an interim solution to the bus axle weight issue by exempting all existing transit buses from the state weight limit and allowing transit operators to purchase new buses that exceeded the weight limit if they were replacing existing overweight buses or if the transit operator was introducing a new fleet class. These provisions had a sunset date at the end of 2014.

AB 1720 (Bloom), Chapter 263, Statutes of 2014, extended the provisions of AB 1706 until January 1, 2016. The bill also clarified that the interim procurement procedures apply to buses of a gross weight of 20,500 pounds over any single axle, not a total bus weight of 20,500 pounds.

The broader goal of this bill is to ensure that transit operators can continue to offer services with their existing fleet and are able to continue to procure buses, while stakeholders come together to work out a long-term solution to the issue.

Author Statement:

The Federal Transit Cooperative Research Program (TCRP) sponsored a detailed national study on bus axle weight issue, which has been a subject of concern not just in California but nationwide. The panel overseeing the work of the study included representatives from national association of cities, counties, public transit agencies, bus suppliers, public works engineers, and state transportation officials.

Now that this report has been released, California stakeholders must reconvene with the goal of crafting a long-term solution to the issue. In the meantime, this bill would exempt transit buses procured through a solicitation process before January 1, 2016 from the 20,500 pound maximum gross axle weight limitation. The purpose is to provide adequate time for stakeholders to convene to develop a permanent solution.

Existing Law:

- 1) Limits the gross weight on any one axle for vehicles that travel on public streets, roads, and highways to 20,000 pounds, but provides that buses of any type may impose a gross axle weight of up to 20,500 pounds. Under federal law California is prohibited from enforcing a weight limit of under 24,000 pounds per axle for buses travelling on the federal Interstate Highway System.

- 2) Exempts transit buses procured through a solicitation process that was issued before January 1, 2013, from existing statutory limits on bus weights.
- 3) Allows, until January 1, 2015, a publicly owned and operated transit system or an operator of a transit system under contract with a publicly owned and operated transit system to do the following:
 - a) Replace existing buses that exceed the current weight limits with a new model of the same or lower weight.
 - b) Procure and operate a new bus in excess of the current weight limits in order to incorporate a new fleet class into its inventory, if the governing board adopts a finding at a public hearing that the change is necessary to address a need to serve a new or existing market pursuant to its most recently adopted short-range transit plan, or to meet federal, state, or regional statutory or regulatory requirements.

Support/Opposition (March 24, 2015):

Support

California Transit Association (sponsor)

Opposition

None on file.

Senate Bill 321 (Beall)**Summary:**

SB 321 makes changes to the Board of Equalization (BOE) administrative process for annually setting the price-based excise tax to give BOE tools to reduce the volatility of this transportation revenue stream. Specifically, SB 321:

- Allows BOE to use a five-year gas price forecasting period, as opposed to its current one-year model.
- Allows BOE to extend the period of revenue neutrality from one year to three years in order to make less volatile annual adjustments.
- Provides an opportunity for BOE to adjust the excise tax more frequently than once per year when changes in fuel prices or consumption will clearly affect the predicted versus actual revenue.
- Would take effect immediately as an urgency statute.

Purpose:

The state excise tax on gasoline is currently comprised of two pieces:

- 1) A “base excise tax,” which remains at 18 cents per gallon, and
- 2) A “price-based excise tax,” which is adjusted annually by the BOE.

The BOE annually adjusts the price-based portion of the excise tax in order to collect roughly the same amount of revenue as the state would have collected if it still charged a permanent sales tax on gasoline. Each year, the BOE adjusts the price-based tax to reconcile for the previous years’ discrepancy, and this is called the “true-up.” Base tax revenues have been steadily declining due increases in fuel efficiency, alternative fuels, and electric vehicles. At the same time, the price-based tax has been decreasing (over 50% in FY 2015-16) as a result of the recent steep drops in gas prices. In FY 2015-16, this means a projected reduction of over \$700 million for transportation.

Author Statement:

Difficulty in forecasting gas prices results in either over- or under-collecting revenue. This uncertainty in future revenue streams puts a serious strain on state and local governments when preparing their multiyear transportation budgets.

SB 321 will aid in preventing the disproportionate impact from periods of unusual, extremely low or high gas prices. By increasing the tools the BOE may use to adjust the excise tax, the BOE can avoid making dramatic annual adjustments and reduce volatility of an important revenue stream for maintenance and new construction on state and local roadways.

Existing Law:

Originally enacted in March 2010, the fuel tax swap eliminated the portion of sales tax on gasoline dedicated to transportation and replaced it with a price-based excise tax designed to generate an equivalent amount of revenue. Sales tax is calculated as a percentage of the price of gasoline, while the excise tax is imposed as a flat rate per gallon. In order to maintain revenue neutrality, the fuel tax swap requires the BOE annually to adjust the price-based excise tax rate to ensure that the collected revenue under the excise tax is the same as would have been collected had the sales tax remained in place.

Related legislation:

There are multiple transportation funding proposals this year, with the goal of addressing the state's failing transportation funding structure and major backlog of deferred maintenance needs.

AB 4 (Linder) would prohibit weight fee revenues from being shifted out of the State Highway Account and used to pay debt service on transportation bonds until January 1, 2020.

AB 227 (Alejo) would stop the transfer of weight fees from the State Highway Account to pay for debt service. This bill would also accelerate the loan repayment dates of several loans relative to State Highway Account loans to the General Fund the Public Transportation Account to be repaid by December 31, 2018.

Support/Opposition (as of March 15, 2015):Support

None on file.

Opposition

None on file.

Senate Bill 508 (Beall)**Summary:** SB 508:

- Deletes the current requirement, established pursuant to the Transportation Development Act (TDA), for transit operators to maintain higher farebox requirements based on the 1978–79 fiscal year.
- Exempts additional categories of expenditures from the definition of “operating cost” used to determine compliance with required farebox ratios, including, among others, certain health coverage, pension, fuel, insurance, and claims settlement costs.
- Exempts startup costs for new transit services for up to 2 years.
- Revises the definition of “operating cost” for performance audit and certain other purposes to exclude principal and interest payments on capital projects funded with certificates of participation or other lease financing mechanisms.

In addition, rather than making an operator ineligible to receive State Transit Assistance (STA) program funds for operating purposes for an entire year for failing to meet the efficiency standards, instead:

- Reduces the operator’s operating allocation by a specified percentage, based on the percentage amount that the operator failed to meet the efficiency standards, as specified.
- Excludes certain health coverage and pension costs from the definition of operating costs used to calculate compliance with the efficiency standards.
- Deletes provisions related to funds withheld, reallocated, or reverted by the transportation planning agency.

Purpose: To update TDA to better match funding eligibility with the new realities in providing transit services.

Author Statement: SB 508 addresses the multiple challenges facing transit agencies and does the following:

- Deletes the farebox recovery requirement that agencies maintain the ratio they achieved in 1978- 79, which provides a simple urban / rural requirement of 20% / 10%
- Standardizes exclusions from the definition of operating cost for both the farebox recovery ratio requirement and the STA Program qualifying criteria requirement. Thus, true “parity” is created between the two systems.
- Updates exemptions to better reflect today’s marketplace, for health and pension costs, and for standard facilities financing costs (currently treated by some auditors as an operations cost instead of a capital cost).
- Eliminates the “pass / fail” nature of the STA qualifying criteria, under which an operator – currently – could fail its CPI target by 0.01% but still lose 100% of its STA allocation for

operations. The bill replaces that provision with a new section creating a “sliding scale” or proportional approach to penalizing an operator (with regard to using the funds for operations versus capital). For example, if an operator goes over its required cost per hour target by 10%, then 10% of its STA funds could be withheld from operations.

Existing Law:

- **Farebox Recovery Ratio:** Operators must recover a certain percentage of their operating costs from the farebox or from the transit rider. Farebox recovery ratios must be maintained in order for operators to receive their TDA funds and their STA Program funds. TDA funds are flexible, and can be used for either operations or capital purposes. The STA Program funds can also be used for either operations or capital purposes.
- **STA Eligibility Criteria:** To receive STA funds for operating purposes, the transit operator's total operating cost per revenue vehicle hour must be maintained at or less than the previous year's cost, as adjusted by the CPI.

Related legislation:

N/A

Support/Opposition (as of 3/24/15):

Support

California Transit Association (Sponsor)

Opposition

VENTURA COUNTY TRANSPORTATION COMMISSION STATE LEGISLATIVE MATRIX BILL SUMMARY March 24, 2015			
BILL/AUTHOR	SUBJECT	POSITION	STATUS
ACA 4 Frazier	Places before the voters a Constitutional Amendment to reduce to 55% the approval threshold for local transportation funding measures.	Support	Introduced.
AB 4 Linder	Prohibits spending truck weight fees on transportation bond debt service.	Support	In Assembly Transportation Committee.
AB 227 Alejo	Provides various transportation revenue enhancements including a prohibition on spending truck weight fees on transportation bond debt service.	Support	In Assembly Transportation and Budget Committees.
AB 1250 Bloom	Extends the bus axle weight exemption.	Support	In Assembly Transportation Committee.
SB 321 Beall	Modifies the gas tax adjustment process to reduce fluctuations.	Support	In Senate Government & Finance Committee.
SB 508 Beall	Provides flexibility regarding transit cost and farebox ratio requirements.	Support	In Senate Transportation & Housing Committee.

Staff-recommended Commission positions shown in **bold**.

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COMMITTEES
CHAIR: VETERANS AFFAIRS
ACCOUNTABILITY AND
ADMINISTRATIVE REVIEW
AGRICULTURE
HIGHER EDUCATION
JOBS, ECONOMIC DEVELOPMENT,
AND THE ECONOMY

March 13, 2015

Assembly Budget Chair Shirley Weber
State Capitol, Room 6026
Sacramento, CA 95814

Assembly Budget Sub. 2 Chair Kevin McCarty
State Capitol, Room 2160
Sacramento, CA 95814

Re: Establishment of an Engineering School at CSU Channel Islands

Dear Assemblymembers Weber and McCarty:

I respectfully request your support in establishing an engineering program at California State University, Channel Islands (CSUCI). An engineering program at CSUCI is a natural progression for this growing university that is essential for preparing students for the 21st century job market. The presence of an engineering program will enable CSUCI to better serve the needs of the regional economy and the state as a whole.

In 2012, CSUCI conducted a regional assessment of the need for an engineering school on campus. The study found that Ventura County in particular suffers from a shortage of engineers compared to the neighboring counties of Los Angeles and Santa Barbara. Further, the study found that nearly half of the Ventura County employers that were interviewed are planning on hiring more engineers beyond the natural attrition rate. Due to this demand, CSUCI is in a unique position to attract and retain engineering talent in Ventura County. Establishing an engineering school will address the needs of the regional economy which includes companies such as Amgen, Haas Automation, Teledyne Technologies, HRL Laboratories, as well as the Point Mugu and Port Hueneme Naval bases.

Providing the opportunity to study engineering at CSUCI will be particularly impactful because it will offer access to groups that are typically underrepresented in engineering and STEM careers. Women earn nearly 60 percent of bachelor's degrees, but in California, only 15 percent of engineering graduates are women. In addition, over the last decade less than 10 percent of engineering graduates have been Latino. CSUCI is in a position to help provide more balance in this arena as 70 percent of the student body is female and the school is recognized as an "Hispanic-serving institution" where approximately 40 percent of undergraduates are Latino. This investment at CSUCI will provide opportunities for women and Latinos in engineering and other STEM careers.

CSUCI is proposing a measured approach to establishing the engineering school. It would begin by creating a Mechatronics major, which has been identified as an engineering degree in high demand both regionally and throughout the state. CSUCI currently offers a robust curriculum that can serve as the foundation of the new major and it also has several minors with similar requirements. A primary investment of \$500,000 per year for the first three years would support three new faculty members and the equipment necessary to launch the program. In addition, several local companies have expressed interest in supporting an engineering school through internships, campus recruiting, and other involvement.

I respectfully request that the Assembly budget committee approve \$500,000 per year, over the next three years to create a school of engineering at CSUCI. This represents a targeted investment that will leverage one of best areas of potential in California's higher education system. I know that this engineering program will provide opportunities for our students and for growth in Ventura County and California.

Thank you for your consideration.



JACQUI IRWIN
Assemblymember, 44th District



Item #14

April 3, 2015

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: ALLOCATION OF FISCAL YEAR 2014/15 CAP-AND-TRADE FUNDS

RECOMMENDATION:

- Program VCTC's FY 2014/15 cap-and-trade transit operations apportionment of \$295,041, as well as the FY 2015/16 apportionment anticipated to be approximately \$600,000, to the new Oxnard / Camarillo VCTC Intercity Bus Service.
- Adopt the Resolution 2015-04 in Attachment A authorizing the Executive Director to execute all required documents to receive the cap-and-trade transit operations funds for the approved project.

BACKGROUND:

As part of the approval of the FY 2014/15 state budget, the Legislature passed a budget trailer bill directing the distribution of cap-and-trade funds. There are several transit-related programs including LCTOP (Transit Operations), Transit Capital, Affordable Housing, and Sustainable Communities. Attachment A provides a summary that VCTC's lobbyist provided after the passage of the legislation. All of the programs are competitive grant programs with the exception of LCTOP which provides ongoing apportionments based on the State Transit Assistance formula. The amount of LCTOP funds to be programmed at VCTC's discretion is \$295,041 which includes the Ventura County population formula funds as well as the Metrolink revenue formula amount. This amount is anticipated to approximately double for FY 2015/16.

Although the LCTOP program title emphasizes expanded transit operations, funds can also be spent on capital costs that can be shown to facilitate expanded transit service. At least half of the funds to a jurisdiction must be spent on service benefitting economically disadvantaged communities as defined by the California Air Resources Board (CARB) using a method that takes into account economic as well as pollution factors.

DISCUSSION:

VCTC staff has developed a project to use the FY 2014/15 and FY 2015/16 funds to operate a new VCTC Intercity Bus line providing access from the economically disadvantaged communities in South and East Oxnard to employment centers in Camarillo. The service will provide a limited number of trips originating in South Oxnard (at the "C" Street Transfer Center) and the Oxnard Transportation Center (OTC), and

then travelling on Highway 34 to Las Posas, and into the Camarillo Outlet mall. From there the service
April 3, 2015
Item #14
Page #2

will go to the Camarillo Metrolink Station and the industrial park beyond. It should be noted that last year a survey conducted by CAUSE of workers at the Camarillo Outlets identified a significant demand for service to the Outlets from Oxnard, and this survey validated a 2012 VCTC survey of Outlet workers. Attachment B provides a map of the proposed service.

The proposal envisions a bus service with 3 one-way trips in the morning, beginning at “C” street in Oxnard, followed by a stop at the Oxnard Transportation Center, with Camarillo stops at the Camarillo Outlet Mall, the Camarillo Metrolink Station, and in the vicinity of Flynn Road near Calle Tecate, and then 3 afternoon / evening returning to Oxnard. The tentative schedule has buses starting from Oxnard at 7 am, 8:30 a.m. and 10:15 a.m., and in the afternoon, trips beginning at of Flynn Road near Calle Tecate in Camarillo at 4:30 p.m., 6:15 p.m., and, 9:00 p.m. from Camarillo Metrolink station and the Outlet Mall (but not Flynn Road). Service adjustments will be considered based on ridership. Transfers to points east, specifically Thousand Oaks (with connecting service to Moorpark and Simi Valley) would be possible at the Camarillo Metrolink Station. Based on historic ridership, as well as demand, it is projected that the three round trips will attract at least a total of 120 daily boardings for the first year of service.

The cost for the service is anticipated to include \$630,000 to purchase the 1 bus required to operate the service, plus \$265,000 per year starting in FY 2015/16 to operate the service. Since the LCTOP program of cap-and-trade was approved by the Legislature to provide apportionments from an ongoing state appropriation based on cap-and-trade revenues, the ongoing revenue stream should be more than ample to continue this \$265,000 annual operations cost beyond 2015/16, should the service prove successful.

TRANSCOM discussed the staff recommendation at its March 12th meeting, and voted to approve the item with the recommended change that the service be 7 days per week rather than weekdays only as previously proposed. VCTC staff concurs with the TRANSCOM recommendation as the demand for job-related transportation is anticipated to be 7 days per week and the cost of adding weekends can be absorbed within the cap-and-trade fund apportionment.

RESOLUTION NO. 2015-04

**AUTHORIZATION FOR THE EXECUTION OF CERTIFICATIONS AND ASSURANCES
FOR THE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)**

WHEREAS, the Ventura County Transportation Commission is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) now or sometime in the future for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

WHEREAS, the Ventura County Transportation Commission wishes to delegate authorization to execute these documents and any amendments thereto to the Executive Director.

NOW, THEREFORE, BE IT RESOLVED by the Ventura County Transportation Commission that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances document and applicable statutes, regulations and guidelines for all LCTOP funded transit projects.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Executive Director be authorized to execute all required documents of the LCTOP program and any Amendments thereto with the California Department of Transportation.

PASSED AND ADOPTED by the VCTC at its regular meeting this 3rd day of April, 2015.

Peter Foy, Chair

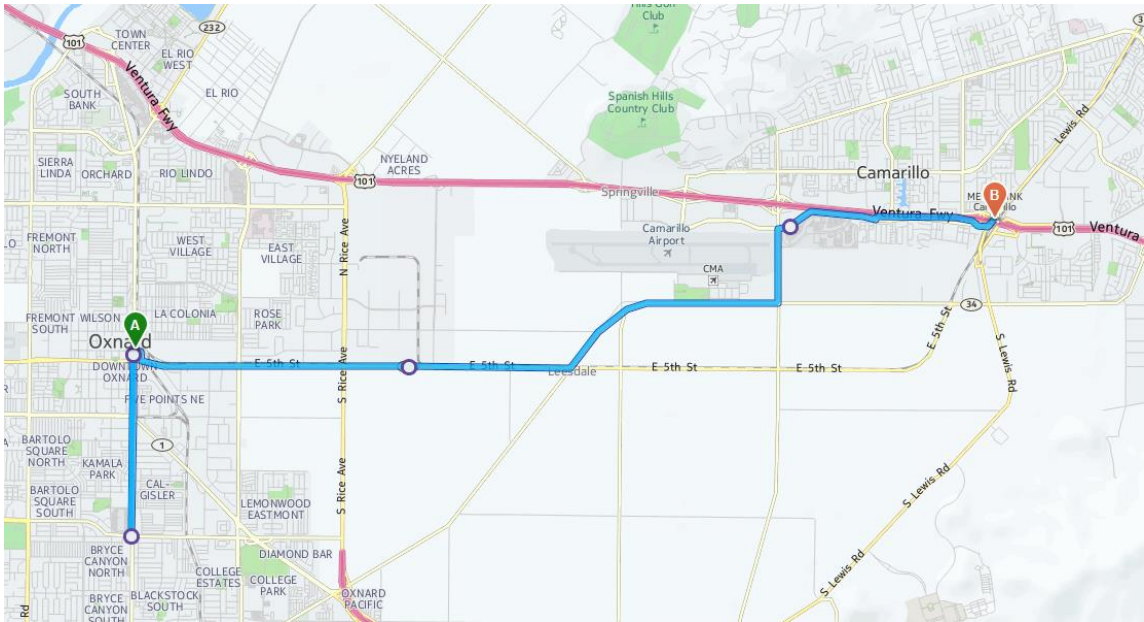
ATTEST:

Donna Cole, Clerk

APPROVED AS TO FORM:

Steven Mattas, General Counsel

CAP AND TRADE PROPOSAL
Oxnard-Camarillo Employment Connector





Item #15

April 3, 2015

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: CONTRACT AWARD FOR AMERICANS WITH DISABILITIES ACT (ADA) ELIGIBILITY CERTIFICATION SERVICES

RECOMMENDATION:

- Approve the contract (Attachment B) with Mobility Management Partners, for Americans with Disabilities Act (ADA) certification services, for a three-year period from July 1, 2015 to June 30, 2018, with two optional one-year extensions, at a price not to exceed \$206,681 for Fiscal Year (FY) 2015/16, \$210,193 for FY 2016/17, and \$218,214 for FY 2017/18.

BACKGROUND:

Procurement Process

At the December meeting, the Commission authorized the release of a Request for Proposals (RFP) for ADA certification services. The ADA mandates that each public entity operating a fixed-route transit system provide complementary paratransit service to individuals whose functional disabilities prevent use of accessible fixed-route bus systems. Each public transit agency is required to establish a certification process for determining ADA paratransit eligibility for complementary paratransit service.

The RFP sought proposals from qualified firms to provide ADA certification services. The RFP was released on December 15, 2014, and proposals were due to VCTC on January 7, 2015. VCTC received three proposals which were reviewed by a committee including representatives of VCTC staff, transit operators and social service agencies. Based on the recommendation of that committee, all three proposers were interviewed by a somewhat different committee of VCTC staff, transit operators' representatives and one social service agency representative. The following three firms submitted proposals:

Mobility Management Partners
MTM
Adaride.com

Responsiveness to Scope

Currently, the first step in VCTC's ADA certification process is the submittal of an application which includes physician contact information. A form is then sent to the designated physician, requesting additional information. For first-time applicants, after the physician's form is returned there is an in-person evaluation. For renewal applications, the in-person evaluation is only performed if there appears to be chance that the applicant's condition could have improved since the prior evaluation. The in-person evaluation may include a cognitive functional evaluation if appropriate.

The Scope of Services in the RFP, which was developed in consultation with the transit operators, called for a process similar to what VCTC currently performs, but with the following changes:

- (1) Initial evaluation of all applications to determine if the in-person evaluation is needed, or if a determination can be made solely on the basis of the written submittals;
- (2) Allowing the confirmation to be submitted by other qualified professional besides medical doctors; and,
- (3) Use of a physical functional evaluation where appropriate.

The RFP also included the following language: "The VCTC welcomes and encourages proposers to demonstrate their expertise in certification programs by submitting proposals for any type of ADA eligibility process, including in-person, telephone, online or any combination of proposed evaluations that best meet the needs of Ventura County... A responsive proposal will identify the recommended process that meets both the mandated ADA eligibility determination requirements and needs of Ventura County." Based on this language, one of the proposers, Adaride.com, submitted a proposal for an on-line process only, with no in-person evaluations. The other two firms submitted proposals that would carry out the certification process as defined in the RFP.

Proposal Scoring

As provided in the RFP, the proposals were evaluated based on the following criteria:

Experience of Firm with Similar Projects	15%
Qualifications of Proposed Staff	15%
Availability of Proposed Staff	25%
Understanding of Work & Proposed Approach	20%
Firm and Project Manager Demonstrated Familiarity With Applicable Federal Requirements	10%
Cost	15%

The RFP did not specify how the scoring would be computed for the proposal evaluation. Attachment A provides the scores of the interview panel. Adaride received the highest ranking if all scores are added together, but Mobility Management Partners received the highest ranking based on the number of evaluators giving it their highest score. A major consideration of the interview panel was whether in-person evaluations should remain or be eliminated as proposed by Adaride. The social service provider on the interview team, in particular, supported the elimination of the in-person assessments on grounds that the process puts applicants through an onerous process while providing what is likely to be minimal

improvement over the accuracy of the professional evaluation. It was also noted that the cost of Adaride's alternative process is much lower. Adaride's process is currently used by San Diego County and San Joaquin County transit operators, while in-person interviews with full function evaluations are used at many other locations statewide including Los Angeles County, Orange County, and Monterey County.

DISCUSSION:

Given that a significant change to the ADA certification process requires amending the VCTC ADA Certification Guidelines, staff brought to TRANSCOM's March 12th meeting a discussion of whether the in-person evaluations should be continued. TRANSCOM recommended that the VCTC initiate a 120-day public input process to consider revising the ADA Certification Guidelines.

Based on the input of the procurement evaluation panel, the TRANSCOM Committee members, and the public comments made at the TRANSCOM meeting, there appears to be a strong consensus that the in-person evaluations, as currently performed, should not be continued, since their effectiveness is doubtful. However, staff believes that the in-person interviews can be improved and can be made to be more effective than would be possible with an on-line certification program. In particular, the in-person interview and functional evaluation should be reoriented to focus on working with the applicant to obtain information on developing a personalized approach for meeting each person's transportation needs. Based on the evaluation results, the evaluation team can communicate with the operator its recommendations which could include ADA paratransit service for some or all trips, travel training, or other programs as appropriate. However, VCTC staff will work with the transit operators to closely monitor whether the revamped evaluation method is achieving this intended result, and if no improvement happens there is still the option of eliminating in-person interviews, by renegotiating the ADA certification contract to reduce its scope.

Staff therefore recommends that the contract be awarded to Mobility Management Partners, Inc., for the three year base period, on grounds that this firm was the top choice of the majority of the evaluation team, and its proposal fully addressed the scope of the RFP including the provision of in-person evaluations which are recommended to continue. The draft VCTC FY 2015/16 budget contains sufficient funds to cover the \$206,681 contract cost plus contingency.

**ADA CERTIFICATION SERVICES
INTERVIEW SCORING SUMMARY**

Evaluator	Adaride.com	MTM	MMP
Evaluator #1 Score	61	52	76
Evaluator #1 Rank	2	3	1
Evaluator #2 Score	80	60	67
Evaluator #2 Rank	1	3	2
Evaluator #3 Score	72	45	76
Evaluator #3 Rank	2	3	1
Evaluator #4 Score	70	58	72
Evaluator #4 Rank	2	3	1
Evaluator #5 Score	70	35	47
Evaluator #5 Rank	1	3	2
Total Scores	353	250	338
Total Highest Rank	2	0	3

**AGREEMENT
FY 2015-16, FY 2016-17, FY 2017-18**

FOR AMERICANS WITH DISABILITIES ACT CERTIFICATION SERVICES

This agreement ("Agreement") is entered into _____, 2015, by and between Ventura County Transportation Commission, also referred to as "VCTC," and Mobility Management Partners, Inc. referred herein as "Contractor".

RECITALS

WHEREAS, the Ventura County Transportation Commission ("VCTC") issued a Request for Proposals for Americans with Disabilities Act, referred to as "ADA," Certification Services on December 15, 2014, with proposals submitted on February 3, 2015, and has selected Contractor to provide ADA Certification Services; and

WHEREAS, based on the Request for Proposals the ADA Certification Services included in this Agreement will be provided from July 1, 2015 to June 30, 2018, with two optional one-year extensions;

WHEREAS, Contractor will coordinate transition of responsibility from the previous contractor prior to July 1, 2015, such that the Contractor may commence providing the services required herein as of the date of the entering into of this Agreement.

NOW, THEREFORE, VCTC and Contractor hereby agree as follows:

1. STATEMENT OF AGREEMENT

VCTC engages Contractor, and Contractor accepts such engagement, to perform the services on the terms and conditions and for the compensation all as set forth in this Agreement. Contractor warrants that it has the qualifications, experience and facilities to properly perform said services and agrees to undertake and complete the performance for the professional services.

2. DESCRIPTION OF SERVICES

The services to be performed by Contractor are "ADA Certification Services" as described in more detail and set forth in the Scope of Work attached to this Agreement and incorporated herein as Attachment #1. By reference, the services as outlined in the associated Request for Proposals and Contractor's proposal to provide this service are also made a part of this Agreement. In the event of a disagreement between the Contractor's proposal and either the Scope of Work, VCTC's Request for Proposals or the main body of this Agreement, the Scope of Work, VCTC's Request for Proposals and the main body of this Agreement shall prevail over the Contractor's proposal.

3. CHANGES IN THE WORK

It shall be understood and agreed by the Contractor that the Executive Director of the VCTC, may, at any time during the progress of this project, decrease the services to be performed by the Contractor and adjust the Agreement cost accordingly based on the rates provided in Attachment #2. Any such change shall not invalidate this Agreement, and the Contractor shall agree to provide the modified services pursuant to this Agreement.

4. COMPENSATION

The total compensation payable to Contractor, by VCTC, for providing ADA Certification Services is not to exceed the annual amounts shown and described in Attachment #2, attached hereto and incorporated herein, for each year of service. The total compensation payable to Contractor by VCTC shall not exceed \$635,088 for the entire 3-year base term of this Agreement as also shown in Attachment #2. Subject to the annual budgets adopted by the VCTC during the term of this Agreement, the total compensation referenced above and reflected in Attachment #2 may, in addition to the change of work authorized in Section 3, be modified by mutual written agreement of the Executive Director of the VCTC and the authorized representative of Contractor.

The VCTC shall not be obligated to pay Contractor for costs incurred in excess of the amounts shown above and reflected in Attachment #2, as it may be modified from time to time as provided by this Section 4. VCTC will pay Contractor at the rates listed on Attachment #2 as it may be modified from time to time, for the service actually provided, and identified in the Scope of Work.

5. TERM/EXTENSION

Unless terminated earlier pursuant to Section 17 of this Agreement, this Agreement will commence on the Effective Date and will terminate on June 30, 2018. VCTC has the option to extend this Agreement for two (2) additional one-year terms, at the prices specified in Attachment #2. Contractor will assume responsibility from the previous contractor for all ADA Certification Services as of July 1, 2015.

6. PROGRESS AND COMPLETION

Upon written authorization of the VCTC to proceed, the Contractor will begin mobilization to ensure that ADA Certification Services to the public will commence beginning on July 1, 2015.

7. ASSIGNMENT AND SUBCONTRACTING

This Agreement is for the provision and maintenance of specified services and Contractor may not assign or subcontract its rights under this Agreement nor delegate the performance of its duties without VCTC's prior written consent. Contractor, its assigns and subcontractors shall complete all obligations under this Agreement and as set forth in Scope of Work. Any subcontract, assignment or delegation without VCTC's prior written consent shall be void.

8. RELATIONSHIP OF THE PARTIES

Both parties to this Agreement agree that the relationship of the parties shall be that Contractor is an independent contractor and shall represent the will of VCTC only to the subject matter of this Agreement, and VCTC will not specify as to the manner in which the services herein are performed, except as provided in Scope of Work set forth in Attachment #1. Contractor shall have complete control and responsibility over the details and performance of the services herein required to complete this Agreement, and in no event shall Contractor be considered an officer, agent, servant or employee of VCTC.

9. INSURANCE

A. LIABILITY INSURANCE

Before beginning any work under this Agreement, Contractor, at its own cost and expense, unless otherwise specified below, shall procure the types and amounts of insurance listed below against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Contractor and its agents, representatives, employees, and subcontractors. Consistent with the following provisions, Contractor shall provide proof satisfactory to VCTC of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all

respects, and that such insurance is in effect prior to beginning work for VCTC. Contractor shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Contractor's Proposal. Contractor shall not allow any subcontractor to commence work on any subcontract until Contractor has obtained all insurance required herein for the subcontractor(s). Contractor shall maintain all required insurance listed herein for the duration of this Agreement.

Workers' Compensation. Contractor shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Contractor. The Statutory Workers' Compensation Insurance and Employer's Liability Insurance shall be provided with limits of not less than **\$1,000,000** per accident. In the alternative, Contractor may rely on a self-insurance program to meet those requirements, but only if the program of self-insurance complies fully with the provisions of the California Labor Code. Determination of whether a self-insurance program meets the standards of the Labor Code shall be solely in the discretion of the Agreement Administrator, as defined in Section 10.9. The insurer, if insurance is provided, or the Contractor, if a program of self-insurance is provided, shall waive all rights of subrogation against VCTC and its officers, officials, employees, and volunteers for loss arising from work performed under this Agreement.

B. COMMERCIAL GENERAL AND AUTOMOBILE LIABILITY INSURANCE

General requirements. Contractor, at its own cost and expense, shall maintain commercial general and automobile liability insurance for the term of this Agreement in an amount not less than two million dollars (\$2,000,000) per occurrence, combined single limit coverage for risks associated with the work contemplated by this Agreement. If Commercial General Liability (CGL) Insurance or an Automobile Liability form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned automobiles.

Minimum scope of coverage. Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 or GL 0002 (most recent editions) covering comprehensive General Liability Insurance and Services Office form number GL 0404 covering Broad Form Comprehensive General Liability on an "occurrence" basis. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (most recent edition). No endorsement shall be attached limiting the coverage.

Additional requirements. Each of the following shall be included in the insurance coverage or added as a certified endorsement to the policy:

- a. The Insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.
- b. Any failure of Contractor to comply with reporting provisions of the policy shall not affect coverage provided to VCTC and its officers, employees, agents, and volunteers.

Additional Insured Status VCTC, its officers, officials, employees, and volunteers are to be covered as insureds on the auto policy with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the Contractor; and on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Consultant including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the Contractor's insurance (at least as broad as ISO Form CG 20 10, 11 85 or both CG 20 10 and CG 23 37 forms if later revisions used).

C. PROFESSIONAL LIABILITY INSURANCE

General requirements. Contractor, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount not less than **\$1,000,000** covering the licensed professionals' errors and omissions. Any deductible or self-insured retention shall not exceed one hundred fifty thousand dollars (\$150,000) per claim.

Claims-made limitations. The following provisions shall apply if the professional liability coverage is written on a claims-made form:

- a. The retroactive date of the policy must be shown and must be before the date of the Agreement.
- b. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the Agreement or the work, so long as commercially available at reasonable rates.
- c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Contractor shall purchase an extended period coverage for a minimum of five (5) years after completion of work under this Agreement or the work. VCTC shall have the right to exercise, at the Contractor's sole cost and expense, any extended reporting provisions of the policy, if the Contractor cancels or does not renew the coverage.
- d. A copy of the claim reporting requirements must be submitted to VCTC for review prior to the commencement of any work under this Agreement.

Additional Requirements. A certified endorsement to include contractual liability shall be included in the policy.

D. ALL POLICIES REQUIREMENTS

Acceptability of insurers. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

Verification of coverage. Prior to beginning any work under this Agreement, Contractor shall furnish VCTC with complete copies of all policies delivered to Contractor by the insurer, including complete copies of all endorsements attached to those policies. All copies of policies and certified endorsements shall show the signature of a person authorized by that insurer to bind coverage on its behalf. If VCTC does not receive the required insurance documents prior to the Contractor beginning work, this shall not waive the Contractor's obligation to provide them. VCTC reserves the right to require complete copies of all required insurance policies at any time.

Notice of Reduction in or Cancellation of Coverage. A certified endorsement shall be attached to all insurance obtained pursuant to this Agreement stating that coverage shall not be suspended, voided, canceled by either party, or reduced in coverage or in limits, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to VCTC. In the event that any coverage required by this section is reduced, limited, cancelled, or materially affected in any other manner, Contractor shall provide written notice to VCTC at Contractor's earliest possible opportunity and in no case later than ten (10) working days after Contractor is notified of the change in coverage.

Additional insured; primary insurance. VCTC and its officers, employees, agents, and volunteers shall be covered as additional insureds with respect to each of the following: liability arising out of activities performed by or on behalf of Contractor, including VCTC's general supervision of Contractor; products and completed operations of Contractor, as applicable; premises owned, occupied, or used by Contractor; and automobiles owned, leased, or used by the Contractor in the course of providing services

pursuant to this Agreement. The coverage shall contain no special limitations on the scope of protection afforded to VCTC or its officers, employees, agents, or volunteers.

A certified endorsement must be attached to all policies stating that coverage is primary insurance with respect to VCTC and its officers, officials, employees and volunteers, and that no insurance or self-insurance maintained by VCTC shall be called upon to contribute to a loss under the coverage.

Deductibles and Self-Insured Retentions. Contractor shall disclose to and obtain the approval of VCTC for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement. Further, if the Contractor's insurance policy includes a self-insured retention that must be paid by a named insured as a precondition of the insurer's liability, or which has the effect of providing that payments of the self-insured retention by others, including additional insureds or insurers do not serve to satisfy the self-insured retention, such provisions must be modified by special endorsement so as to not apply to the additional insured coverage required by this agreement so as to not prevent any of the parties to this agreement from satisfying or paying the self-insured retention required to be paid as a precondition to the insurer's liability. Additionally, the certificates of insurance must note whether the policy does or does not include any self-insured retention and also must disclose the deductible.

During the period covered by this Agreement, only upon the prior express written authorization of Agreement Administrator, Contractor may increase such deductibles or self-insured retentions with respect to VCTC, its officers, employees, agents, and volunteers. The Agreement Administrator may condition approval of an increase in deductible or self-insured retention levels with a requirement that Contractor procure a bond, guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.

Further, if the Consultant's insurance policy includes a self-insured retention that must be paid by a named insured as a precondition of the insurer's liability, or which has the effect of providing that payments of the self-insured retention by others, including additional insureds or insurers do not serve to satisfy the self-insured retention, such provisions must be modified by special endorsement so as to not apply to the additional insured coverage required by this agreement so as to not prevent any of the parties to this agreement from satisfying or paying the self-insured retention required to be paid as a precondition to the insurer's liability.

Subcontractors. Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and certified endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

Wasting Policy. No insurance policy required by Section 4 shall include a "wasting" policy limit.

Variation. VCTC may approve a variation in the foregoing insurance requirements, upon a determination that the coverage, scope, limits, and forms of such insurance are either not commercially available, or that VCTC's interests are otherwise fully protected.

Remedies. In addition to any other remedies VCTC may have if Contractor fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, VCTC may, at its sole option exercise any of the following remedies, which are alternatives to other remedies VCTC may have and are not the exclusive remedy for Contractor's breach:

Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;

Order Contractor to stop work under this Agreement or withhold any payment that becomes due to Contractor hereunder, or both stop work and withhold any payment, until Contractor demonstrates compliance with the requirements hereof; and/or terminate this Agreement.

10. INDEMNIFICATION

Contractor shall defend, indemnify and hold harmless the Ventura County Transportation Commission, Gold Coast Transit, the Camarillo Health Care District, the City of Camarillo, the City of Moorpark, the City of Simi Valley, and the City of Thousand Oaks (the "VCTC Group") from all liability costs, damages, or expenses, including attorneys' fees arising out of or incurred in connection with the Contractor and its employees'/agents' and subcontractors' acts or omissions in the performance of the services provided pursuant to this agreement, and agrees at its own cost, expense and risk to defend any and all resulting actions, suits, or other legal proceedings brought or instituted against VCTC Group arising out of its performance of the services under this Agreement, and to pay and satisfy any resulting judgments, claims, damages and costs.

The Contractor agrees to defend and pay entire cost of defending any claim or suit whenever or wherever made or brought against the VCTC Group based upon an infringement or alleged infringement of such letters patent, and to indemnify and save harmless the VCTC Group from and against any and all liability, damage, loss or injury adjudged or sustained in any such claim or suit, or adjudged or sustained by reason of the equipment to be furnished hereunder constituting an infringement of any letters patent or adjudged or sustained by reason of inability of the VCTC Group to use said equipment because of any infringement or alleged infringement of any letters patent.

11. FEDERAL CHANGES

The Contractor shall at all times comply with all applicable Federal Transit Administration (FTA) regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the grant agreements between the VCTC and FTA, as they may be amended or promulgated from time to time during the term of this Agreement. Failure by the Contractor to so comply shall constitute a material breach of this Agreement. In the event any such changes significantly affect the cost or the schedule to perform the work, the Contractor shall be entitled to submit a claim for an equitable adjustment under the applicable provisions of this Agreement.

12. NO GOVERNMENT OBLIGATIONS TO THIRD PARTIES

The VCTC and the Contractor acknowledge and agree that, notwithstanding any occurrence by the Federal Government in or approval of this solicitation or award of this Agreement, absent the express written consent by the Federal Government, the Federal Government is not a party to this Agreement and shall not be subject to any obligations or liabilities to VCTC, the Contractor, or any other party (whether or not a party to this Agreement) pertaining to any matter resulting from this Agreement.

The Contractor agrees to include the above clause in each subcontract financed in whole or part with Federal assistance provided by FTA. It is further agreed that the clause shall not be modified, except to identify the subcontractor who will be subject to its provisions.

13. DISADVANTAGED BUSINESS PARTICIPATION

VCTC has established a DBE Program pursuant to 49 C.F.R. Part 26, which applies to this Agreement. The requirements and procedures of VCTC's DBE Program are hereby incorporated by reference into this Agreement. Failure by any party to this Agreement to carry out VCTC's DBE Program procedures and requirements or applicable requirements of 49 C.F.R. Part 26 shall be considered a material breach of this Agreement, and may be grounds for termination of this Agreement, or such other appropriate administrative remedy. Each party to this Agreement shall ensure that compliance with VCTC's DBE Program shall be included in any and all sub-agreements entered into which arise out of or are related to this Agreement.

Contractor's failure to make good faith efforts to comply with VCTC's DBE Program shall be considered a material breach of this Agreement and may give rise to certain administrative penalties and proceedings, including, but not limited to, those set forth in 49 C.F.R. Part 26.107.

14. PAYMENTS TO SUBCONTRACTORS

No later than Thirty (30) working days after receiving payment of retention from VCTC for work satisfactorily performed by any of its subcontractors for services rendered arising out of or related to this Agreement, Contractor shall make full payment to its subcontractors of all compensation due and owing under the relevant subcontract agreement, unless excused by VCTC for good cause in VCTC's sole discretion.

No later than Thirty (30) days after receiving payment of retention from VCTC for work satisfactorily performed by any of its subcontractors for services rendered arising out of or related to this Agreement, Contractor shall also make full payment to its subcontractors of all retentions withheld by it pursuant to the relevant subcontract agreement, unless excused by VCTC for good cause in VCTC's sole discretion.

Contractor may only delay or postpone any payment obligation (or retention) to any of its subcontractors for services rendered arising out of or related to this Agreement where, in VCTC's sole estimation, good cause exists for such a delay or postponement. All such determinations on VCTC's part that good cause exists for the delay or postponement of Contractor's payment obligation to its subcontractor must be made prior to the time when payment to the subcontractor would have been otherwise due by Contractor.

15. TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

During the performance of this Agreement, the Contractor, for itself, its assignees and successors in interest, and subcontractors agree as follows:

A. COMPLIANCE WITH REGULATIONS:

The Contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation ("DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, ("Regulations"), which are herein incorporated by reference and made a part of this Agreement.

B. NONDISCRIMINATION

In accordance with Title VI of the Civil Rights act, as amended, 42 U.S.C. 200d section 3 03 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. 12132, and Federal Transit laws at 49 U.S.C. 5332, the Contractor agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, the Contractor agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.

C. EQUAL EMPLOYMENT OPPORTUNITY

The following equal employment opportunity requirements apply to this Agreement:

1. **Race, Color, Creed, National Origin, Sex** – In accordance with title VII of the Civil Rights Act, as amended, 42 U.S.C. 5332, the Contractor agrees to comply with all applicable equal employment opportunity requirements of the U.S. Department of Labor (USDOL) regulations, "Office of Federal Agreement Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 CFR Parts 60 et seq., (which implement Executive Order No. 11246 Relating to Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order No. 11246 Relating to Equal Employment Opportunity," 42 U.S.C. 2000e note), and with any applicable Federal statutes, executive orders,

regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the work performed under this Agreement. The Contractor agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment of recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, the contractor agrees to comply with any implementing requirements FTA may issue.

2. **Age** – In accordance with section 4 of the Age discrimination in Employment Act of 1967, as amended, 29 U.S.C. 623 and Federal Transit laws at 49 U.S.C. 5332, the Contractor agrees to refrain from discrimination against present and prospective employees for reasons of age. In addition, the contractor agrees to comply with any implementing requirements FTA may issue.
3. **Disabilities** – In accordance with Section 102 of the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12112, the Contractor agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, “ Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act,” 29 CFR Part 1630, pertaining to employment of persons with disabilities. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.
4. **Immigration and Naturalization Act of 1986** – In connection with the execution of this Agreement, the Contractor must comply with all aspects of the federal Immigration and Naturalization Act of 1986.

D. SOLICITATIONS FOR SUBCONTRACTORS, INCLUDING PROCUREMENT OF MATERIALS AND EQUIPMENT:

In all solicitations either by competitive bidding or negotiation made by the Contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this Agreement and the Regulations relative to non-discrimination on the grounds of race, color, or national origin.

E. INFORMATION AND REPORTS:

The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by VCTC or the FTA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to VCTC or the FTA as appropriate, and shall set forth what efforts it has made to obtain the information.

F. SANCTIONS FOR NONCOMPLIANCE:

In the event of the Contractor's noncompliance with nondiscrimination provisions of this Agreement, VCTC shall impose Agreement sanctions as it or the FTA may determine to be appropriate, including, but not limited to:

1. withholding of payments to the Contractor under the Agreement until the Contractor complies; and/or
2. cancellation, termination, or suspension of the Agreement, in whole or in part.

G. INCORPORATION OF PROVISIONS:

The Contractor shall take such action with respect to any subcontract or procurement as VCTC or the Federal Transit Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: provided, however, that, in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request VCTC, and in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

H. SUBCONTRACTS

The Contractor also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only if necessary to identify the affected parties.

16. ACCESS TO RECORDS AND REPORTS

The Contractor agrees to provide VCTC, the FTA Administrator, the Comptroller General of the United States or of any of their authorized representatives access to any books, documents, papers and records of the Contractor which are directly pertinent to this Agreement for the purposes of making and conducting audits, inspections, examinations, excerpts, and transcriptions.

The Contractor also agrees, pursuant to 49 CFR 633.1.7, to provide the FTA Administrator or his or her authorized representatives, including any Project Management Oversight (PMO) contractor, access to the Contractor's records and construction sites pertaining to a major capital project, defined at 49 U.S.C. 5302(a)1, which is receiving federal financial assistance through the programs described in 49 U.S.C. 5307, 5309 or 5311. The Contractor agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed.

The Contractor agrees to maintain all books, records, accounts and reports required under this Agreement for a period of not less than three years after the date of termination or expiration of this Agreement, except in the event of litigation or settlement of claims arising from the performance of this Agreement, in which case the Contractor agrees to maintain such books, records, account and reports until the VCTC, the FTA Administrator, the Comptroller general, or any of their duly authorized representatives, have disposed of all such litigation, appeals, claims or exceptions related thereto.

17. TERMINATION

- A. TERMINATION FOR CONVENIENCE** - VCTC, by written notice, may terminate this Agreement, in whole or in part, when it is in VCTC's interest to do so. If this Agreement is terminated, VCTC shall be liable only for payment under the payment provisions of this Agreement for services rendered before the date of termination.
- B. TERMINATION FOR DEFAULT [Breach or Cause]** - If the Contractor fails to perform the services in the manner called for in Agreement, or if the Contractor fails to comply with any other provisions of the Agreement, VCTC may terminate this Agreement for default. Termination shall be effective upon serving notice of termination on the Contractor setting forth the manner in which the Contractor is in default. The Contractor will only be paid the Agreement price for services performed in accordance with the manner of performance set forth in the Agreement prior to termination.

If it is later determined by VCTC that the Contractor had an excusable reason for not performing, such as a strike, fire, or flood, events which are not the fault of or are beyond the control of the Contractor, VCTC, after setting up a new delivery of performance schedule, may allow the Contractor to continue work, or treat the termination as a termination for convenience.

- C. OPPORTUNITY TO CURE (General Provision)** - The VCTC in its sole discretion may, in the case of a termination for breach or default, allow the Contractor ten (10) days in which to cure the defect. In such case, the notice of termination will state the time period in which cure is permitted and other appropriate conditions.

If Contractor fails to remedy to VCTC's satisfaction the breach or default or any of the terms, covenants, or conditions of this Agreement within ten (10) days after receipt by Contractor of written notice from VCTC setting forth the nature of said breach or default, VCTC shall have the right to terminate the Agreement without any further obligation to Contractor. Any such termination for default shall not in any way operate to preclude VCTC from also pursuing all available remedies against Contractor and its sureties for said breach or default.

- D. WAIVER OF REMEDIES FOR ANY BREACH** - In the event that VCTC elects to waive its remedies for any breach by Contractor of any covenant, term or condition of this Agreement, such waiver by VCTC shall not limit VCTC's remedies for any succeeding breach of that or of any other term, covenant, or condition of this Agreement. Any such waiver by VCTC must be in writing.

18. SUBCONTRACTORS' CERTIFICATE REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY OR VOLUNTARY EXCLUSION

- A. The Contractor shall include in each subcontract exceeding \$100,000, regardless of tier, a clause requiring each lower tiered subcontractor to provide the certification set forth in paragraph B of this section. Each subcontract, regardless of tier, shall contain a provision that the subcontractor shall knowingly enter into any lower tier subcontract exceeding \$100,000 with a person who is disbarred, suspended or declared ineligible from obtaining federal assistance funds. If a proposed subcontractor is unable to certify to the statements in the following certification, the Contractor shall promptly notify VCTC and provide all applicable documentation.
- B. Each subcontractor with a subcontract exceeding \$100,000 shall certify as follows:

Subcontractor's Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

1. _____ ("subcontractor") certifies, by submission of its proposal to _____ ("Contractor"), that neither it nor its "principals" (as defined in 49 CFR 29.105(p)1 is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in contracts by any Federal department or agency.
2. If subcontractor is unable to certify to the statements in the certification, subcontractor has attached a written explanation to its proposal to the Contractor.

19. PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS AND RELATED ACTS

The Contractor acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. 3801 et seq. And U.S. Department of Transportation (DOT) regulations, "Program Fraud Civil Remedies," 49 CFR Part 31, apply to its actions pertaining to this Agreement. Upon execution of this Agreement, the Contractor certifies or affirms the truthfulness and accuracy of any statement it has made, it makes, it may make, or causes to be made, pertaining to this Agreement or the FTA assisted project for which this work under this Agreement is being performed. In addition to other penalties that may be applicable, the Contractor further acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification, the Federal Government reserves the right to impose the penalties of the Program fraud Civil Remedies Act of 1986 on the Contractor to the extent the Federal Government deems appropriate.

The Contractor also acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification to the Federal Government under an Agreement connected with a project that is financed in whole or in part with Federal assistance originally awarded by FTA under the authority of 49 U.S.C. 5307, the Government reserves the right to impose the penalties of 18 U.S.C. 1001 and 49 U.S.C. 5307(n)(1) on the Contractor, to the extent the Federal Government deems appropriate.

The Contractor agrees to include the above two clauses in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clauses shall not be modified, except to identify the subcontractor who will be subject to the provisions.

20. INCORPORATION OF FEDERAL TRANSIT ADMINISTRATION (FTA) TERMS

The provisions in this Section (FTA Requirements) include, in part, certain Standard Terms and Conditions required by the U.S. Department of transportation (DOT), whether or not expressly set forth in the preceding provisions. All contractual provisions required by DOT, as set forth in FTA Circular 4220.1F, dated November 1, 2008 as it may be amended from time to time, are hereby incorporated in this Agreement by reference. Anything to the contrary herein notwithstanding, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in this Agreement. The Contractor shall not perform any act, fail to perform any act or refuse to comply with any requests of the VCTC which would cause the VCTC to be in violation of the FTA terms and conditions.

21. LOBBYING

Contractors who apply or bid for an award of \$100,000 or more shall file the certification required by 49 CFR part 20, "New Restrictions on Lobbying." Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier shall also disclose the name of any registrant under the Lobbying Disclosure Act of 1995 who has made lobbying contacts on its behalf with non-Federal funds with respect to that Federal contract, grant or award covered by 31 U.S.C. 1352. Such disclosures are forwarded from tier to tier up to the recipient.

22. ENVIRONMENTAL REQUIREMENTS

The Contractor agrees to comply with all applicable standards, orders or requirements as follows:

A. Clean Air

The Contractor shall comply with all air pollution control rules, regulations, ordinances and statutes which apply to any work performed pursuant to the Agreement, including any air pollution control rules, regulations, ordinances and statutes, specified in Section 1 1017 of the California Government Code. All Contractors and suppliers shall be required to submit evidence, if requested, to VCTC that the governing air pollution control criteria will be met.

The Contractor also agrees to include these requirements in each subcontract exceeding \$100,000 under this Agreement.

B. Clean Water

The Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq. The Contractor agrees to report each violation to VCTC. VCTC will, in turn, report each violation as required to assure notification to FTA and the appropriate EPA Regional Office.

The Contractor also agrees to include these requirements in each subcontract exceeding \$100,000 under this Agreement.

C. Energy Conservation

The Contractor shall recognize mandatory standards and policies relating to energy efficiency which are contained in the State energy conservation plan issued in compliance with the federal Energy Policy and Conservation Act (42 U.S.C., Section 6321 et seq.).

D. Recycled Products

The Contractor agrees to comply with all the requirements of Section 6002 of the Resource Conservation and Recovery Act (RCRA), as amended, 42 U.S.C. 6962, including but not limited to the regulatory provisions of 40 CFR Part 247, and Executive Order 12873, as they apply to the procurement of the items designated in Subpart B of 40 CFR Part 247.

23. BREACHES AND DISPUTE RESOLUTION PROCEDURE

- A. Disputes** - Disputes arising in the performance of this Agreement which are not resolved by agreement of the parties shall be decided in writing by the authorized representative of VCTC. This decision shall be final and conclusive unless within [ten (10)] days from the date of receipt of its copy, the Contractor mails or otherwise furnishes a written appeal to the VCTC. In connection with any such appeal, the Contractor shall be afforded an opportunity to be heard and to offer evidence in support of its position. The decision of the VCTC shall be binding upon the Contractor and the Contractor shall abide by the decision.
- B. Performance During Dispute** - Unless otherwise directed by VCTC, Contractor shall continue performance under this Agreement while matters in dispute are being resolved.
- C. Claims for Damages** - Should either party to the Agreement suffer injury or damage to person or property because of any act or omission of the party or of any of his employees, agents or others for whose acts he is legally liable, a claim for damages therefor shall be made in writing to such other party within a reasonable time after the first observance of such injury or damage.
- D. Remedies** - Unless this Agreement provides otherwise, all claims, counterclaims, disputes and other matters in question between the VCTC and the Contractor arising out of or relating to this Agreement or its breach will be decided by arbitration if the parties mutually agree, or in a court of competent jurisdiction within the State of California.
- E. Rights and Remedies** - The duties and obligations imposed by the Agreement and the rights and remedies available thereunder shall be in addition to and not a limitation of any duties, obligations, rights and remedies otherwise imposed or available by law. No action or failure to act by the VCTC, Contractor shall constitute a waiver of any right or duty afforded any of them under the Agreement, nor shall any such action or failure to act constitute an approval of or acquiescence in any breach thereunder, except as may be specifically agreed in writing.
- F. Liquidated Damages**

Liquidated Damages Due to Contractor Vacancy

As described in the Scope of Work, due to the key role played by the Project manager in the successful discharge of this Agreement and the potential damage resulting from the vacancy in this position, the Contractor shall be charged \$5,000 per month for each month the Project Manager position is vacant beyond 30 calendar days. Although a new Project manager must receive prior approval from VCTC, it will be the responsibility of the Contractor to provide a Project manager acceptable to VCTC within a 30-day time frame. Both VCTC and the Contractor will work cooperatively to assure that all reasonable and feasible steps are taken to fill this position in the event of a vacancy.

Before assessing this penalty, VCTC will use the following procedure:

- VCTC will notify the Contractor of its intent to assess a penalty;
- The Contractor will be given an opportunity to demonstrate that the Contractor could not reasonably have prevented the failure;
- Failures caused by actions of VCTC staff, natural disasters, or extreme and unusual weather or traffic conditions will be considered nonpreventable;
- Any such claim must be supported by adequate documentation;
- If VCTC determines that the failure was not preventable, then the penalty will be waived.

VCTC's decision to waive the assessment of any penalty will in no way affect VCTC's right to assess a penalty for a similar failure in the future and will in no way affect the Contractor's obligation to meet the associated performance standard.

Continued nonperformance of the Contractor and/or serious violation of service standards may result in assessment of penalties up to and including termination of the Agreement.

Liquidated Damages Due to Lack of Timely Response

The Contractor must complete its processing of applications in a timely manner to meet ADA requirements. ADA requires that an eligibility determination must be mailed to the applicant within twenty-one (21) calendar days of the completed application. Failure to meet this requirement will result in an assessment by VCTC of a penalty on the Contractor of \$400.00 per instance of non-compliance.

Before assessing this penalty, VCTC will use the following procedure:

- VCTC will notify the Contractor of its intent to assess a penalty;
- The Contractor will be given an opportunity to demonstrate that the Contractor could not reasonably have prevented the failure;
- Failures caused by actions of VCTC staff, natural disasters, or extreme and unusual weather or traffic conditions will be considered not preventable;
- Any such claim must be supported by adequate documentation;
- If VCTC determines that the failure was not preventable, then the penalty will be waived.

VCTC's decision to waive the assessment of any penalty will in no way affect VCTC's right to assess a penalty for a similar failure in the future and will in no way affect the Contractor's obligation to meet the associated performance standard.

Continued nonperformance of the Contractor and/or serious violation of service standards may result in assessment of penalties up to and including termination of the Agreement.

24. FLY AMERICA

The Contractor agrees to comply with 49 U.S.C. 40118 (the "Fly America" Act) in accordance with the General Services Administration's regulations at 41 CFR Part 301-10, which provide that recipients and subrecipients of Federal funds and their contractors are required to use U.S. Flag air carriers for U.S Government-financed international air travel and transportation of their personal effects or property, to the extent such service is available, unless travel by foreign air carrier is a matter of necessity, as defined by the Fly America Act. The Contractor shall submit, if a foreign air carrier was used, an appropriate certification or memorandum adequately explaining why service by a U.S. flag air carrier was not available or why it was necessary to use a foreign air carrier and shall, in any event, provide a certificate of compliance with the Fly America requirements. The Contractor agrees to include the requirements of this section in all subcontracts that may involve international air transportation.

25. CARGO PREFERENCE

The contractor agrees:

- a. to use privately owned United States-Flag commercial vessels to ship at least 50 percent of the gross tonnage (computed separately for dry bulk carriers, dry cargo liners, and tankers) involved, whenever shipping any equipment, material, or commodities pursuant to the underlying Agreement to the extent such vessels are available at fair and reasonable rates for United States-Flag commercial vessels;
- b. to furnish within 20 working days following the date of loading for shipments originating within the United States or within 30 working days following the date of leading for shipments originating outside the United States, a legible copy of a rated, "on-board" commercial ocean bill-of-lading in English for each shipment of cargo described in the preceding paragraph to the Division of National Cargo, Office of Market Development, Maritime Administration, Washington, DC 20590 and to the FTA recipient (through the Contractor in the case of a subcontractor's bill-of-lading.)
- c. to include these requirements in all subcontracts issued pursuant to this Agreement when the subcontract may involve the transport of equipment, material, or commodities by ocean vessel.

26. NOTICES

A. TO THE VCTC

All notices to the VCTC under this Agreement shall be in writing and sent to:

Darren M. Kettle,
Executive Director
Ventura County Transportation Commission
950 County Square Drive, Suite 207, Ventura, CA 93003

B. TO THE CONTRACTOR

All notices to Contractor under this Agreement shall be in writing and sent to:

Michael D. Culver
Director of Operations
Mobility Management Partners, Inc.
4036 Adolfo Road
Camarillo, CA 93012

27. ENTIRE AGREEMENT, MODIFICATION, AND EFFECTIVE DATE

A. ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement between the parties and supersedes all agreements and understandings related to this work. Each party to this Agreement acknowledges that no representation, inducements, promises or agreements, orally or otherwise have been made by a party, or anyone acting on behalf of any party, which are not embodied herein or in the above-incorporated document, and that any other agreement, statement or promises not contained in this Agreement shall not be valid or binding.

B. MODIFICATIONS

This Agreement may not be altered, amended, or modified except by written instrument signed by the duly authorized representative of both parties.

28. GOVERNING LAW

This Agreement shall be governed by and in accordance with the laws of the State of California and the United States of America.

29. INVOICING

The Contractor shall submit invoices to the VCTC within five (5) working days after the end of each month for services rendered during the reporting period. Invoices shall be prepared in such a form and supported by such documentation as may be required by VCTC to establish that the amounts are allowable. Payment to Contractor shall be made within thirty (30) days after receipt of an acceptable invoice. All invoices shall be addressed as follows:

Executive Director
Ventura County Transportation Commission
950 County Square Drive, Suite 207
Ventura, CA 93003

30. SIGNATURES

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives. Each party represents to the other party that this Agreement has been executed by a duly authorized agent of the party so representing.

VCTC:

**VENTURA COUNTY TRANSPORTATION
COMMISSION**

By _____
PETER FOY, Chairperson

CONTRACTOR:

By _____
MOBILITY MANAGEMENT PARTNERS, INC.

ATTEST:

Clerk
Ventura County Transportation Commission

APPROVED AS TO FORM:

Steven T. Mattas , General Counsel
Ventura County Transportation Commission

APPROVED AS TO CONTENT:

Darren M. Kettle, Executive Director
Ventura County Transportation Commission

Attachment #1

SCOPE OF WORK

1. MANAGEMENT OF OPERATIONS

Project Manager

The Contractor shall provide a Project Manager who shall be responsible for and oversee day-to-day operations of the ADA certification program under direction of VCTC. The Project Manager shall not be replaced without prior permission from VCTC.

The Project Manager shall maintain consistent and sufficient contact with VCTC's Programming Director (VCTC). The Project Manager must be knowledgeable about ADA rules, regulations, and compliance regarding eligibility and certification. The Project Manager is responsible for the recruitment, hiring, and training of appropriate staff to satisfy the requirements of this Scope of Services. The Project Manager will recommend to VCTC and the operators improvements to the ADA eligibility certification process as determined to be advisable. This communication shall establish a working partnership to ensure that VCTC's ADA eligibility certification process works effectively and efficiently to the benefit of the ADA applicants and from the perspective of VCTC, the transit operators, and the Contractor.

The Project Manager shall demonstrate, by decision and action, competency in all aspects of VCTC's ADA eligibility certification process. The Project Manager shall function as line supervisor of all Contractor staff assigned to VCTC's project. The responsibilities of the Project Manager include, but are not limited to, the following:

- Availability of decision-making authority during normal business hours;
- Supervision of personnel assigned to perform the tasks specified in this Scope of Work;
- Administration of the eligibility certification process;
- Attendance at monthly meetings that VCTC may require;
- Collaboration with VCTC staff and local transit operators to improve the ADA eligibility certification process as determined appropriate;
- Certification of accurate Monthly Reports including invoicing and certification data submitted to VCTC; and other reports as requested by VCTC; and,
- Other duties as appropriate for successful compliance with the Agreement.

Reporting

On a monthly basis, the Project Manager shall prepare a Monthly Certification Report which shall be submitted to the VCTC with the monthly invoice. This report shall include, at a minimum, the following:

1. Number of applications received;
2. Number of applicants interviewed;
3. Results of functional assessments;
4. Number of determinations, by type:
 - a. Eligible (new applicant)
 - b. Eligible (recertification)
 - c. Conditionally eligible by condition
 - d. Temporarily eligible
 - e. Ineligible
5. Number of applicants taking more than 10 business days from initial application submittal to schedule an appointment. Explanation of why in each case;

6. Number of applicants for whom a determination has not been made within 21 days of assessment or receipt of simplified paperwork with an explanation of why in each case;
7. Average processing time for applications. Processing time is from completed paperwork/process to the postmark of determination letters;
8. Average hold times on ADA telephone information lines.
9. Number of appeals as notified by VCTC.

Contractor may propose modifications and additions to the recommended reporting. All modifications are subject to approval by VCTC.

Meetings

The Project Manager and, as appropriate, designated certification staff shall attend meetings with VCTC on a regular basis to review the ADA certification process, to review Contractor's performance, to identify areas for analysis and improvement, and to effect training of and coordination between VCTC, transit operators, and Contractor. Regular meetings shall include:

- Monthly ADA Certification Status Meeting with a committee including VCTC and transit operator staff, at a Ventura County location determined by VCTC;
- Quarterly Certification Review Meeting of VCTC staff in the Contractor's office to review performance and records.

These meetings are anticipated to each be no longer than two (2) hours in length. In addition to these regular meetings, Contractor's Project Manager may be required to attend and participate in other meetings relating to VCTC's ADA certification process.

VCTC Responsibilities

VCTC's responsibilities in administering the ADA Certification Program will include the following:

- Providing direction to the incumbent contractor with regard to transitioning of the program to the newly-selected Contractor;
- Ensuring the availability of interview and assessment locations;
- Providing information on its website regarding the ADA certification process and contact information, including eligibility applications for down-loading;
- Providing paper with VCTC letterhead to the Contractor for use in issuing approvals and denials, along with text in English and Spanish to use in the letter;
- Providing ADA eligibility card design including the VCTC logo to the Contractor for use in issuing ADA eligibility cards;
- Providing informational brochures and an application in English and Spanish to the Contractor for distribution to applicants. These brochures include information on the certification process and on the Travel Training program. Printing of these documents is also the responsibility of VCTC;
- Providing the Professional Evaluation template to the Contractor for dissemination to physicians and other qualified health professionals;
- Notifying Contractor of the initiation of an appeal, and reviewing and acting on appeals;
- Coordinating with the responsible fixed-route transit agencies to regarding their monitoring and feedback of the certification process;
- Providing general transit system information brochures and schedules for distribution to applicants as appropriate.
- Marketing and outreach for its programs. The Contractor may not initiate and/or perform any outreach activities on behalf of VCTC or the transit operators without the expressed prior consent of VCTC.

The transport from VCTC's office to the Contractor's office of paper documents provided to the Contractor by VCTC shall be the responsibility of the Contractor.

Task 1 Deliverables

- 1-A. Monthly reports containing required data
- 1-B. Attendance at monthly and quarterly meetings as described

2. PROGRAM STAFF

Staffing Requirements

Contractor shall recruit, hire, train, and employ qualified staff necessary to meet the requirements specified herein for the administration of VCTC's ADA eligibility certification process. Such staff shall have the appropriate education, licensing and certification, and experience to perform the functions of their assigned positions, including, but not limited to:

- Experience with regard to the functional assessment of individuals with disabilities along with experience working with individuals with disabilities;
- Appropriate certifications and qualifications such as Physical or Occupational Therapy, and Orientation and Mobility Specialist;
- Supervisory experience as appropriate to their job assignments;
- Ability to work well with seniors and persons with disabilities;
- Good writing and oral communications skills, including fluency in Spanish for applicants if preferred. It is estimated that 25% of applicants prefer communication in Spanish;
- Familiarity with Ventura County public transit and ADA paratransit services and the functional abilities needed to use these public transportation services;
- Knowledge of ADA complementary paratransit regulations, including, but not limited to, the regulatory definition of ADA paratransit eligibility;
- Thorough familiarity with VCTC's ADA paratransit eligibility certification process; and,
- Demonstrated competence in making determinations of ADA eligibility in compliance with federal, state, county and local laws, applicable regulations and VCTC policies.

Certification services for VCTC shall be assigned to a limited number of designated Contractor staff sufficient to provide these services under normal circumstances. Names of the designated staff shall be identified and submitted to VCTC in writing. Any changes to this staffing shall be provided to VCTC in writing. Contractor shall conduct all interactions with applicants in a professional, courteous and respectful manner. VCTC may require that any Contractor employee assigned to provide services under this Agreement be removed from work on VCTC's project for cause. VCTC may require immediate removal if, in its determination, this is warranted under the circumstances. VCTC will notify the Contractor's Project Manager in writing of any employee determined to be unsuitable for assignment to VCTC's project, and shall provide the documentation as to the basis for this determination. Unless VCTC is requiring immediate reassignment, Contractor shall, at its sole discretion, within five (5) business days of receipt of such notice, either propose to replace the employee or present to VCTC a plan for correcting the employee's performance deficiencies within a 30-day period thereafter. If either VCTC rejects the plan or the employee's performance deficiencies are not corrected to VCTC's satisfaction with the 30-day period, the Contractor shall immediately replace the employee.

Training

All training of Contractor staff shall be the responsibility of the Contractor. Contractor shall develop and provide a training program sufficient to meet the ADA Act requirements. The training program shall be reviewed and approved by VCTC staff prior to implementation.

Prior to their assignment to VCTC's project, each employee shall receive, at a minimum, the following training:

- Contractor's training program as described above;
- VCTC orientation on Ventura County transit services, policies, and procedures, to be provided by VCTC staff; and
- Training in sensitivity issues regarding working with individuals with disabilities. All Contractor staff involved in the certification process or coming into contact with applicants, including the Contractor's Project Manager, shall receive this training provided by the Contractor.

Contractor shall permit VCTC staff on an occasional basis to attend and participate in Contractor's training program for application review/eligibility determination.

Task 2 Deliverables

- 2-A. Names of assigned staff
- 2-B. Documentation of employee training

3. INITIAL PROJECT MOBILIZATION

Agreement Kick-Off and Approval of Certification Procedures

There shall be a kick-off meeting with VCTC and the selected Contractor to negotiate the final detailed budget and task schedule with milestones and deliverables, and discuss development of the assessment protocols. The Contractor shall then prepare the final project budget and schedule. During the transition period, on a schedule agreed to by the Contractor and VCTC, the contractor shall propose for VCTC approval the proposed first-level evaluation protocol, personal interview script/worksheet, function assessment protocol, recertification procedure, and streamlined short-term certification procedure.

Transition

VCTC anticipates approving the Agreement with the newly-selected Contractor on or about April 1, 2015, with the contractor assuming responsibility for the certification process effective July 1, 2015. During the period prior to July 1st, the Contractor shall work with VCTC and with VCTC's current ADA certification contractor to transition the certification process to the new Contractor. The incumbent contractor's Agreement requires that they participate in meetings and the transfer of client records to ensure a smooth transition to the new Contractor. The new Contractor shall identify for VCTC the inbound phone line at least 10 business days in advance of the transition date to facilitate smooth transition of phone services.

Facility

During the three-year base performance period of this Agreement, the Contractor is required to provide suitable office facilities to accommodate the personnel necessary for the management and administration of the certification program. The facility will have space for the processing of certification applications and the ability to maintain and keep all the certification data and records. Contractor shall provide all furniture, furnishings and equipment. The office facility shall be fully and easily accessible to the disabled and in compliance with all ADA, California Title 24, and other State, County and City accessibility requirements. There is no contractual requirement regarding the physical location of this administration office.

VCTC is currently developing plans for its own administration building to be located at 2220 Ventura Boulevard in Camarillo, California. Accordingly, during the optional extension periods of this Agreement, there may no longer be a need for the Contractor to provide offices for administration of the certification process, and the Contractor will instead be required to use the VCTC office for its Ventura-County based staff. VCTC will provide sufficient space for up to four (4) workstations.

Equipment and Documents

Contractor shall also be responsible for the provision of any and all office equipment and supplies needed for the conduct of services under this Agreement including, but not limited to, copiers, facsimile machines, digital cameras, computer hardware and software, eligibility card fabrication equipment, and telephone and TDD equipment. Contractor shall be responsible for the provision of any and all equipment necessary to conduct in-person interviews and assessments including, but not limited to visual aids.

The Contractor shall provide forms and letters required for the efficient processing and documentation of the certification process, with the exception of materials provided by VCTC as specified in this RFP under "VCTC responsibilities." Such materials developed by the Contractor shall be done in consultation with VCTC staff and shall become, pursuant to this agreement, property of VCTC.

Telephone System

The toll-free call-in number for applicants and prospective applicants will be provided by VCTC. The Contractor must identify for VCTC the inbound phone line at least 10 business days in advance of the transition date. The Contractor shall provide voice telephone services for certification inquiries and Contractor staff shall return all calls from applicants, their guardians, and/or health care providers. Contractor shall provide sufficient telephone lines to ensure that callers are being routed to voice mail no more than ten (10%) of all attempted phone calls at peak times. The phone system shall include a monitoring system for tracking average pick up time and number of calls routed to voice mail.

Contractor is responsible for the installation and maintenance of sufficient telephone lines and equipment to support the Contractor's administrative requirements so that the toll-free (or local area codes) applicant telephone lines are not utilized for administrative purposes. Contractor shall provide sufficient telephone lines to avoid caller hold times that exceed five minutes. Busy signals are not acceptable as they can be interpreted as discouraging certification and therefore, a capacity constraint. Contractor shall provide VCTC with a way to independently monitor the overall performance of the system. The method of monitoring shall be suggested by the Contractor and be approved by VCTC prior to implementation of the phone system.

Contractor shall provide a plain paper facsimile (FAX) machine installed on a dedicated telephone line. This FAX machine will be installed and operational in the Contractor's office facility no later than (one) week prior to initiation of services under this Agreement. This equipment shall be maintained throughout the term of the Agreement. VCTC requires prompt repair or replacement in the event of equipment failure.

Eligible Applicant Profiles

The incumbent contractor utilizes an electronic database for applicant and certification records. The Contractor selected under the new Agreement shall provide an electronic database for applicant and certification records, which shall accommodate the electronic database records transmitted by the prior Contractor.

Currently, the majority of complementary paratransit operators utilize Trapeze to manage their ADA client database and dispatch rides. The incumbent contractor transmits certification information to these operators by e-mailing pdf-format rider profiles to them. There is currently a desire on the part of VCTC and the transit operators to improve the protocol for communication of certification information to the operators. Therefore, Contractor shall analyze protocols and suggest improvements to the communication of certification data with the paratransit operators and seek feedback from the paratransit operators. Contractor shall create specific protocol for approval by VCTC with feedback from the paratransit providers for electronic communication with the providers. One possible approach would be for the Contractor to obtain a Trapeze license and obtain necessary computer hardware to allow entering eligibility profiles directly into Trapeze. Unless another protocol is recommended by the Contractor and

approved by VCTC, the Contractor shall obtain (if it does not have one already) a Trapeze license and the required hardware and shall enter eligibility profiles into Trapeze. Unless another alternative is approved by VCTC and implemented by the Contractor, the Contractor, prior to October 1, 2015, shall enter all of the prior certification client profiles of currently valid ADA cards, as provided in the incumbent contractor's files, into the Trapeze database so that they can be electronically accessed by the operators.

Applicant profile reports will include the following information:

- 1) Applicant name;
- 2) New application or recertification;
- 3) Applicant ID number;
- 4) Applicant's home address, mailing address (if different than home address), phone number(s) and email address;
- 5) Applicant's emergency contact with phone number(s);
- 6) Date completed application received;
- 7) Date applicant interviewed and assessed;
- 8) Type of assessment;
- 9) Eligibility determination with conditional information if applicable;
- 10) Date of eligibility expiration;
- 11) Mobility device used, if any;
- 12) Size of wheelchair or scooter, if any, including dimensions and weight with applicant;
- 13) Personal care attendant, if applicable;
- 14) Special customer needs or comments for the driver, if any;
- 15) Disability code.

Subsequent to the approval of this Agreement, the Contractor shall attend one or more meetings hosted by VCTC and including the transit operators to receive feedback from the operators on the specific information to be transmitted to the transit operators to facilitate the best provision of service for each individual customer's needs, including suitability for alternative programs such as travel training or informational programs provided by the operators, as well as information related to customer-specific safety requirements including (for the Simi Valley and Gold Coast evaluation locations where a scale is provided) the weight of an applicant inclusive of wheelchair, if appropriate. The intent is that a major emphasis of the in-person evaluation is to help ensure that the best possible transit service is provided to each eligible applicant depending on the person's needs. The Contractor will implement a mechanism for transmittal of information within 120 days of execution of this Agreement.

Emergency Policies and Procedures

All applicants referred to the Contractor are likely to have some degree of physical, cognitive and/or mental disability. Contractor policies and procedures shall be in place to respond to any emergencies (e.g. cardiopulmonary resuscitation, seizure management, etc.) that may arise.

VCTC will not be responsible for any costs associated with implementation of such policies and procedures above those included in the contracted service price.

Task 3 Deliverables

- 3-A. Transition plan
- 3-B. First level evaluation protocol
- 3-C. Certification interview script/worksheet
- 3-D. Functional Assessment protocol
- 3-E. Recommended alternative eligibility processes
- 3-F. List of Conditional Eligibility categories
- 3-G. Recertification procedure
- 3-H. Database protocol for providing certification data to paratransit operators

- 3-l. Entering of past currently-active rider profiles into the scheduling software system(s) used by the Ventura County transit operators.

4. ONGOING ADA ELIGIBILITY CERTIFICATION PROCESS

The Contractor shall be responsible for performing both stages of the eligibility evaluation process as necessary to determine the eligibility of each client for complementary ADA paratransit service; notifying the client of the determination within 21 calendar days of completed application; and, in the event of eligibility, providing to the client the ADA photo ID. An applicant shall be certified as eligible if, and only if, a person's functional ability prevents the use or navigation of fixed-route services. Detailed descriptions of the Contractor's responsibilities are listed below. However, proposers with alternative methods of accomplishing the certification process are welcome to submit proposals. All forms and types of evaluation methods will be reviewed.

The Contractor shall administer the certification process so as to ensure that all applications are processed regardless of the volume. There have recently been 750-800 completed applications (including Professional Evaluation when required) per year, with approximately 20% being applicants for recertification and 80% being new applicants. In coordination with VCTC staff the Contractor shall adjust its staff level as necessary based on changes in application volume over time, to ensure that all applications are accommodated as required by ADA.

Customer and ADA Application Telephone Support

The Contractor shall provide staff available to answer phone inquiries during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday excluding VCTC holidays. The Contractor is expected to staff sufficiently to avoid callers experiencing excessive hold times. The Contractor shall record the name of the caller, and is expected to discuss with the caller the purpose for which the applicant will use ADA complementary paratransit, to help the caller determine if an ADA certification is needed or helpful for the intended trips, given the availability of various paratransit services in Ventura County that are available to the general public or to seniors. Should an ADA certification not be needed for the intended trips, the caller should be encouraged, but not required, to forgo the ADA application and certification process.

Upon completing the discussion with the caller regarding the need for ADA certification, should the caller decide to proceed with ADA certification the Contractor shall mail or e-mail, as requested, an application and instructions to the applicant.

The Contractor is also expected to respond in a professional and helpful manner to other phone calls that come from the public regarding general information on the ADA Complementary Paratransit Service eligibility certification. These will include, but are not limited to:

- Requests to forward ADA certification documents to ADA providers.
- Information regarding ADA paratransit service. These customers should be referred to the local service provider.
- Callers requesting more general transportation information. These customers shall be given the phone number of VCTC.
- VCTC shall provide the Contractor with a list of phone numbers to provide to callers that should be referred to other agencies.

Application Review

Upon initial receipt of an application, a computer record is opened for new applicants assigning a unique Identification Number. Recertification applications are recorded under their existing clients' IDs. Applications shall be date-stamped upon receipt. A review assuring all necessary information has been provided by the applicant shall be completed within three (3) days of initial receipt. If incomplete, Contractor shall contact the applicant and indicate which sections need to be completed or if any

supporting documents are needed. The Contractor shall return to the applicant for completion of missing information within four (4) business days of initial application receipt.

Contractor shall evaluate the application to determine the need for a Professional Evaluation. It is generally expected that a Professional Evaluation will be required, except when there is a very clear eligibility or a valid reason why the applicant cannot obtain an evaluation. Evaluations can be performed by an appropriate licensed professional such as a therapist, social worker, nurse practitioner or physician. If a professional evaluation is needed, but was not provided in the initial application, the Contractor shall fax the PE to the person designated on the application and notify the applicant of the effort.

After the Contractor either faxes the Professional Evaluation, or requests confirmation of an evaluation submitted by the application, should there be no response within five (5) working days, the Contractor shall make two (2) attempts to contact the professional's office to follow up on the request to provide the completed evaluation. If it is not possible to contact the Professional's office, then the Contractor shall contact the applicant and so inform them. In the event that the Professional's office is contacted but there is still no response within five (5) business days of the contact with the Professional's office, then the Contractor shall contact the professional's office a second time, and shall also contact the applicant or their designated agent and inform them of the status.

In-Person Interview

Contractor shall contact all applicants when a personal interview is necessary for additional information and/or to get a photo ID for a completed application. Contractor shall maintain all records necessary to verify compliance with ADA requirements and to make timely eligibility determinations. Contractor shall suggest records to be maintained for this requirement. Contractor shall be responsible for scheduling interview with applicant, including scheduling ADA Paratransit transportation by the appropriate provider to and from the interview if needed by the applicant. Assessments shall be conducted at locations within the passenger's transit operations service area. Currently the five (5) locations are in Oxnard, Thousand Oaks, Camarillo, Moorpark, and Simi Valley.

Interviews will be scheduled a minimum of three (3) days in advance unless an earlier appointment is specifically requested and/or accepted by the applicant. The Contractor shall provide sufficient certification staff to ensure that unless there are exceptional conditions an interview can be scheduled within twenty-one (21) calendar days of the call. Applicant may request an interview date after the 21-day deadline. (The Contractor shall offer an interview at the location closest to the applicant's residence. Should the applicant request an earlier date than is available at the closest location, the Contractor shall offer earlier alternatives, if available, at more distant locations.) Contractor will coordinate transportation, if required, working directly with the appropriate ADA service providers. Contractor shall be responsible for notifying applicants of their transportation windows when coordinating ADA service to the interview.

In-person interviews may on a case-by-case basis involve standard functional, visual, and cognitive tests. The applicant will be asked a series of questions relevant to determining the person's disability or ability to use fixed-route service, including, but not limited to:

- Assessment of standing balance, both static and dynamic;
- Ability to navigate independently;
- Ability to tell time
- Ability to communicate with others independently
- Recognize landmarks
- Remember directions to a location
- Ability to read a bus schedule; and
- Function without danger to self or others.

Contractor is encouraged to get more detailed information about the applicant's functional ability that may not be initially apparent. Currently scales are available at two interview locations to weigh chair-bound applicants in their chairs. At these locations, Contractor shall weigh all chair-bound applicants receiving in-person assessments.

As part of the in-person assessment, the Contractor shall consider the suitability of the applicant for the Ventura County Travel Training Program. Applicants may be provided with informational material on this program as is appropriate. Contractor shall provide the applicant with local transit brochures and encourage the applicant to contact their local operator for further information. Contractor is not to provide any verbal transit or paratransit system information to clients.

Contractor shall prepare a written summary containing sufficient information to support the recommended determination for each interview.

The following is a summary of the geographic distribution of certification determinations over the past three fiscal years, based on residence relative to transit service area:

Gold Coast Transit = 34.8%
Thousand Oaks Transit = 23.5%
Valley Express = 4.7%
Moorpark Bus = 6.2%
Camarillo Area Transit = 9.1%
Simi Valley Transit = 21.7%

It is anticipated that due to a restructuring of the Valley Express service, introducing fixed route service, and limiting dial-a-ride eligibility, that there will be an increase in eligibility determinations from this area (Santa Paula, Fillmore, and Piru) especially in the short term.

In-Person Functional Assessment Protocol

For in-person assessments, the Contractor may propose its own testing protocols for assessing the functional abilities of persons with disabilities. A Functional Assessment will be performed only after a thorough in-person interview is performed and proper documentation acquired. Functional Assessments should only be performed when needed to further verify information to make a determination of eligibility, and approximately 25% of the in-person assessments. Under VCTC's current procedure, the Functional Assessment is limited to a cognitive assessment performed within the interview office, and the Contractor is required as condition of this Agreement to have a cognitive assessment procedure to use if required to determine eligibility based on cognitive disability. However, as part of the new Agreement VCTC would like to have available the capability to use a full Functional Assessment process. VCTC therefore asks that all proposals include a discussion of how the proposer could perform full Functional Assessments, given the constraints that will require use of the different certification interview locations and the lack of indoor space at these locations which will require some of the evaluation to occur outdoors in varying weather.

The Contractor shall propose what situations or conditions, if any, may warrant an alternative eligibility process. For example, individuals who are legally blind or whose application is based on seizures or psychiatric disabilities may undergo a different application process. Approval by transit operators will be necessary in order to implement a simplified process for certain applicants.

The In-Person Functional Assessment should assess the applicant's functional and cognitive abilities to perform the various skills necessary to take a trip on public transit independently, possibly including but not limited to:

- cross a two-lane street in a predetermined amount of time;
- negotiate a curb or curb cut;
- negotiate three steps, if ambulatory;
- maneuver into a space measuring the size of a wheelchair lift platform (30in. x 48in.), when using a mobility device;

- maneuver a wheelchair independently;

These functional evaluations shall be performed outdoors as part of the interview near the interview location. At some locations, the evaluation location might be a transit operations facility where a bus and other equipment would be available for use in the functional evaluation.

Renewals

The Contractor will notify all ADA clients at least 120 calendar days prior to their certification expiration date. Clients seeking re-certification will need to complete a re-certification application. In-person evaluations are not conducted for renewals except in circumstances where the eligibility for renewal cannot be determined without personally interfacing with the applicant due to insufficient information in the written submittal.

Determination

Contractor shall prepare a written summary of evaluations used for all eligibility determinations completed. Contractor shall notify all applicants via a letter sent by regular mail, of their eligibility determination. VCTC shall provide letter head. ADA cards shall be included with the letter if the applicant was deemed eligible. Production of ADA certification ID cards is the responsibility of the contractor. Contractor shall transmit client certification information to the appropriate paratransit operator. Contractor shall notify VCTC of all determinations. Individuals who are determined to be ineligible or conditionally eligible shall receive in a clear written format an explanation of the determination, supporting documentation and information on their right to appeal. The information shall include how to proceed with an appeal.

Contractor shall have eighteen (18) calendar days to notify applicants upon completion of the application process. The date of in-person assessment or receipt of the completed renewal application will commence this 18 calendar day deadline.

Customer Comments and Formal Appeals

All applicants and other individuals contacting the Contractor wishing to make a comment on the ADA eligibility certification process, or file a formal appeal to a certification denial or partial eligibility determination, shall be referred to VCTC staff.

According to VCTC's appeals process, there are two levels of appeal:

First Level: Review by the VCTC manager of this contract, who shall have the right as the responsible agency staff person of revising the Contractor's determination decision.

Second Level: Formal hearing conducted by a Hearing Board

Liquidated Damages

The Contractor must complete its processing of applications in a timely manner to meet ADA requirements. ADA requires that an eligibility determination must be mailed to the applicant within twenty-one (21) calendar days of the completed application. Failure to meet this requirement will result in an assessment by VCTC of a penalty on the Contractor of \$400.00 per instance of non-compliance.

Before assessing this penalty, VCTC will use the following procedure:

- VCTC will notify the Contractor of its intent to assess a penalty;
- The Contractor will be given an opportunity to demonstrate that the Contractor could not reasonably have prevented the failure;

- Failures caused by actions of VCTC staff, natural disasters, or extreme and unusual weather or traffic conditions will be considered not preventable;
- Any such claim must be supported by adequate documentation;
- If VCTC determines that the failure was not preventable, then the penalty will be waived.

VCTC's decision to waive the assessment of any penalty will in no way affect VCTC's right to assess a penalty for a similar failure in the future and will in no way affect the Contractor's obligation to meet the associated performance standard.

Continued nonperformance of the Contractor and/or serious violation of service standards may result in assessment of penalties up to and including termination of contract.

Changes to the Certification Process

During the term of this Contract, including any extensions thereof, VCTC may choose to implement changes to the ADA paratransit certification processes described herein for the benefit of VCTC, the responsible transit operators, and the ADA program. In such event, VCTC shall provide the Contractor with a description of the changes to be implemented, including any modification of the Contractor's requirements and responsibilities related to such change and the timing thereof.

Task 4 Deliverables

- 4-A. Maintaining of certification tracking records
- 4-B. Transmittal of eligibility determination records
- 4-C. Mailing of eligibility determination notification letters and photo identification cards

5. COMPLIANCE WITH HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

The Contractor will have access to confidential personal and medical information about the applicant; therefore the Contractor must comply with all provisions of HIPAA.

6. AGREEMENT TRANSITION

Contractor must cooperatively participate in the transition of this service to a new Contractor if necessary. No less than ninety (90) days prior to a new Contractor starting, participation is necessary in (1) meetings; and (2) transfer of records. Contractor shall participate in the smooth transition of certification services to a new contractor, in such a manner, and to ensure the transition results in minimal disruption to the processing and completion of certification determinations.

During the transition phase, VCTC staff will conduct several meetings with the incumbent and new contractors to discuss specific certification procedures, administration, records and the time frame in which the transition must occur. As requested by VCTC, incumbent Contractor must make pertinent records accessible to both VCTC and the new contractor within three (3) days of VCTC's request.

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Attachment #2

COMPENSATION

Pursuant to Section 4 of the Agreement, the maximum compensation payable to CONTRACTOR for providing the service described in this agreement shall be as follows:

Effective date(s): July 1, 2015 to June 30, 2016

Base Price for 850 determinations: \$149,573

Incremental cost for less than 700 or more than 850 determinations: \$175

Maximum cost per tier of 100: \$15,000

Fees for access to transit operator certification databases: Actual cost

Contract ceiling including database fees (based on maximum of 1,150 evaluations): \$206,681

Effective date(s): July 1, 2016 to June 30, 2017

Base Price for 850 determinations: \$155,485

Incremental cost for less than 700 or more than 850 determinations: \$182

Maximum cost per tier of 100: \$15,600

Fees for access to transit operator certification databases: Actual cost

Contract ceiling including database fees (based on maximum of 1,150 evaluations): \$210,193

Effective date(s): July 1, 2017 to June 30, 2018

Base Price for 850 determinations: \$161,634

Incremental cost for less than 700 or more than 850 determinations: \$189

Maximum cost per tier of 100: \$16,224

Fees for access to transit operator certification databases: Actual cost

Contract ceiling including database fees (based on maximum of 1,150 evaluations): \$218,214

Effective date(s): July 1, 2018 to June 30, 2019 (First optional period)

Base Price for 850 determinations: \$166,269

Incremental cost for less than 700 or more than 850 determinations: \$197

Maximum cost per tier of 100: \$16,873

Fees for access to transit operator certification databases: Actual cost

Contract ceiling including database fees (based on maximum of 1,150 evaluations): \$224,796

Effective date(s): July 1, 2019 to June 30, 2020 (Second optional period

Base Price for 850 determinations: \$172,920

Incremental cost for less than 700 or more than 850 determinations: \$205

Maximum cost per tier of 100: \$17,548

Fees for access to transit operator certification databases: Actual cost

Contract ceiling including database fees (based on Maximum of 1,150 evaluations): \$233,472